

IN ADDITION

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

Office of the Attorney General

Request for Applications for the Choose Life Grant Program

The Office of the Attorney General (OAG) is soliciting applications for projects that support the Choose Life Grant Program. The purpose of the OAG Choose Life Grant Program is to provide funds, using a competitive allocation method, as described in Chapter 402 of the Government Code.

Applicable Funding Source for Choose Life Grant Program:

The Choose Life Grant Program receives funding from a separate trust fund established by the Comptroller of Public Accounts outside the general revenue fund that the OAG is authorized to administer to make grants to an eligible organization. The Choose Life account is authorized by Chapter 504.662 of the Transportation Code, and Chapter 402.036 of the Government Code, and is funded by fees collected for the purchase of a Choose Life License Plate, as well as gifts, grants, donations and legislative appropriations. All funding is contingent upon an appropriation to the OAG by the Texas Legislature. The OAG makes no commitment that an Application, once submitted, or a grant, once funded, will receive subsequent funding.

Eligibility Requirements:

Eligible Applicants: An Applicant Organization must be an eligible organization in this state to apply for the Choose Life Grant Program, meaning it must meet **all** of the following criteria:

- An organization that provides services in this state and is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, by being listed as an exempt charitable organization under §501(c)(3) of that code;
- Provides counseling and material assistance to pregnant women who are considering placing their children for adoption;
- Does not charge for services provided;
- Does not provide abortions or abortion-related services or make referrals to abortion providers;
- Is not affiliated with an organization that provides abortions or abortion-related services or makes referrals to abortion providers; and
- Does not contract with an organization that provides abortions or abortion-related services or makes referrals to abortion providers.

Eligibility: The OAG will initially screen each application for eligibility. Applications will be deemed ineligible if the application is submitted by an ineligible applicant; the application is not filed in the manner and form required by the Application Kit; the application is filed after the deadline established in the Application Kit; or the application does not meet other requirements as stated in the RFA and the Application Kit.

How to Obtain Application Kit: The OAG will post the Application Kit on the OAG's website at www.texasattorneygeneral.gov/chooselife. Updates and other helpful reminders about the application process will also be posted at this location. Potential Applicant Organizations are encouraged to refer to this site regularly.

Deadlines and Filing Instructions for the Grant Application:

Application Deadline: The Applicant Organization must submit its application, including all required attachments, to the OAG and the OAG must receive the submitted application and all required attachments by the deadline established in the Application Kit to be considered timely filed.

Filing Instructions: Strict compliance with the filing instructions, as provided in the Application Kit, is required. The OAG will **not** consider an Application if it is not received by the due date as stated in the Application Kit.

Minimum and Maximum Amounts of Funding Available: Minimum and maximum amounts of funding are subject to change as stated in the Application Kit. The minimum grant request the OAG will consider is \$1,000. As of the date this Application Kit is published, the amount available in the Choose Life account to award is approximately \$51,000. Applications requesting an amount below the minimum will not be considered.

Start Date and Length of Grant Contract Period: The term of this grant contract is one year from September 1, 2017, through August 31, 2018, with the ability for an extension of time, subject to and contingent on funding and approval by the OAG.

No Match or Volunteer Requirements: There are no match or volunteer requirements.

Award Criteria: The OAG will make funding decisions that support the efficient and effective use of public funds. Scoring and review components will include, but are not limited to, information provided by the applicant on the proposed project activities and budget. Funding decisions will use a competitive allocation method. All grant decisions including, but not limited to, eligibility, evaluation and review, and funding rest completely within the discretionary authority of the OAG. The decisions made by the OAG are final and are not subject to appeal.

Grant Purpose Area: All grant projects must address one or more of the purpose areas as stated in the Application Kit.

Prohibitions on Use of Choose Life Grant Program Funds: OAG grant funds may not be used to support activities related to providing abortions or abortion-related services, or making referrals to abortion providers. OAG grant funds may not be used to support or pay the costs of equipment, overtime, out-of-state travel, dues, or lobbying; any portion of the salary or any other compensation for an elected government official; the purchase or lease of vehicles; the purchase of promotional items or recreational activities; costs of travel that are unrelated to the direct delivery of services that support the OAG grant-funded program; the costs for consultants or vendors who participate directly in writing a grant application; or for any unallowable costs set forth in applicable state or federal law, rules, regulations, guidelines, policies, procedures or cost principles. Grant funds may not be used to purchase any other products or services the OAG identifies as inappropriate or unallowable within this RFA or the Application Kit.

OAG Contact Person: If additional information is needed, contact Lyndsay Ysla at Grants@oag.texas.gov or (512) 936-1278.

TRD-201701960
Amanda Crawford
General Counsel
Office of the Attorney General
Filed: May 15, 2017

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Comptroller of Public Accounts

Certification of the Average Closing Price of Gas and Oil - April 2017

The Comptroller of Public Accounts, administering agency for the collection of the Crude Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of crude oil for reporting period April 2017 is \$37.42 per barrel for the three-month period beginning on January 1, 2017, and ending March 31, 2017. Therefore, pursuant to Tax Code, §202.058, crude oil produced during the month of April 2017, from a qualified low-producing oil lease, is not eligible for a credit on the crude oil production tax imposed by Tax Code, Chapter 202.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period April 2017 is \$2.30 per mcf for the three-month period beginning on January 1, 2017, and ending March 31, 2017. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of April 2017, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of April 2017 is \$51.12 per barrel. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall not exclude total revenue received from oil produced during the month of April 2017, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of April 2017 is \$3.19 per MMBtu. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall exclude total revenue received from gas produced during the month of April 2017, from a qualified low-producing gas well.

Inquiries should be submitted to Teresa G. Bostick, Director, Tax Policy Division, P.O. Box 13528, Austin, Texas 78711-3528.

TRD-201701943
Lita Gonzalez
General Counsel
Comptroller of Public Accounts
Filed: May 11, 2017

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Office of Consumer Credit Commissioner

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §303.003 and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 05/22/17 - 05/28/17 is 18% for Consumer¹/Agricultural/Commercial² credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 05/22/17 - 05/28/17 is 18% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

² Credit for business, commercial, investment or other similar purpose.

TRD-201701964
Leslie Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: May 16, 2017

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Credit Union Department

Application to Expand Field of Membership

Notice is given that the following applications have been filed with the Credit Union Department (Department) and are under consideration:

An application was received from First Class American Credit Union, Fort Worth, Texas, to expand its field of membership. The proposal would permit employees of Blue Apron, to be eligible for membership in the credit union.

An application was received from FivePoint Credit Union, Nederland, Texas, to expand its field of membership. The proposal would permit persons who work, reside, or attend school in, and businesses and other legal entities located within a 10-mile radius of the FivePoint Credit Union offices located at 1021 Sawdust Road, Spring, Texas and 3570 FM 1488, Conroe, Texas, to be eligible for membership in the credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Credit unions that wish to comment on any application must also complete a Notice of Protest form. The form may be obtained by contacting the Department at (512) 837-9236 or downloading the form at <http://www.cud.texas.gov/page/bylaw-charter-applications>. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-201701983
Harold E. Feeney
Commissioner
Credit Union Department
Filed: May 17, 2017

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Application to Expand Field of Membership

Notice is given that the following applications have been filed with the Credit Union Department (Department) and are under consideration:

An application was received from Texell Credit Union, Temple, Texas, to expand its field of membership. The proposal would permit individuals who live, work, or attend school in Williamson County, Texas, to be eligible for membership in the credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the

date of this publication. Credit unions that wish to comment on any application must also complete a Notice of Protest form. The form may be obtained by contacting the Department at (512) 837-9236 or downloading the form at <http://www.cud.texas.gov/page/bylaw-character-applications>. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-201701985
Harold E. Feeney
Commissioner
Credit Union Department
Filed: May 17, 2017



Notice of Final Action Taken

In accordance with the provisions of 7 TAC §91.103, the Credit Union Department provides notice of the final action taken on the following applications:

Application to Expand Field of Membership - Approved

Smart Financial Credit Union, Houston, Texas - See *Texas Register* issue dated March 31, 2017.

TRD-201701982
Harold E. Feeney
Commissioner
Credit Union Department
Filed: May 17, 2017



Texas Education Agency

Request for Applications Concerning the 2017-2019 Expanding Access to Advanced Academics Grant

Filing Authority. The availability of grant funds under Request for Applications (RFA) #701-17-102 is authorized by General Appropriations Act, Article III, Rider 8, 84th Texas Legislature, 2015.

Eligible Applicants. The Texas Education Agency (TEA) is requesting applications under RFA #701-17-102 from school districts and open-enrollment charter schools that are classified as "rural" and that have been identified as "underserved" based on the college readiness indicator of Advanced Placement (AP) course enrollment. Education service centers (ESCs) may also apply for funding in providing grant programs and services to local educational agencies (LEAs) that meet the eligibility requirements. For this grant, TEA will observe the definition of "rural" as assigned by the TEA and as outlined in the program guidelines. For this grant, districts that reported a percentage of students enrolling in AP courses at a rate of 20 percent or below during the 2015-2016 academic year, in addition to meeting the definition of "rural" as defined by the TEA during the 2015-2016 academic year, are eligible to apply for this award. An eligibility list is posted on the TEA Grant Opportunities web page at <http://tea4avoswald.tea.state.tx.us/GrantOpportunities/forms/GrantProgramSearch.aspx>. In the "Search Options" box, select the name of the RFA from the drop-down list. Scroll down to the "Application and Support Information" section to view all documents that pertain to this RFA.

Description. The purpose of this grant program is to provide financial assistance for the launch, expansion, and/or support of advanced academic programs in rural and underserved LEAs through two primary

focus areas. Focus Area 1 will provide funding to individual LEAs seeking to expand advanced academic opportunities in their districts. Focus Area 2 will provide funding for the development of regional collaborative hubs between two LEAs and an ESC, with the ESC serving as the fiscal agent.

Dates of Project. The 2017-2019 Expanding Access to Advanced Academics grant program will be implemented primarily during the 2017-2018 and 2018-2019 school years. Applicants should plan for a starting date of no earlier than August 15, 2017, and an ending date of no later than May 31, 2019.

Project Amount. Approximately \$2 million is available for funding the 2017-2019 Expanding Access to Advanced Academics grant program. It is anticipated that approximately 30 grants will be awarded to individual LEAs that apply within Focus Area 1 ranging in amounts from \$30,000 to \$35,000. It is anticipated that approximately 10 grants will be awarded to ESCs and/or partnering LEAs that apply within Focus Area 2 ranging in amounts from \$75,000 to \$100,000. This project is funded 100 percent with state funds.

Selection Criteria. Applications will be selected based on the ability of each applicant to carry out all requirements contained in the RFA. Reviewers will evaluate applications based on the overall quality and validity of the proposed grant programs and the extent to which the applications address the primary objectives and intent of the project. Applications must address each requirement as specified in the RFA to be considered for funding. TEA reserves the right to select from the highest-ranking applications those that address all requirements in the RFA.

TEA is not obligated to approve an application, provide funds, or endorse any application submitted in response to this RFA. This RFA does not commit TEA to pay any costs before an application is approved. The issuance of this RFA does not obligate TEA to award a grant or pay any costs incurred in preparing a response.

Applicants' Conference. A webinar will be held on Tuesday, June 6, 2017, from 10:00 a.m. to 11:30 a.m. Registration for the webinar will be posted on the TEA Grant Opportunities web page at <http://tea4avoswald.tea.state.tx.us/GrantOpportunities/forms/Grant-ProgramSearch.aspx>. In the "Search Options" box, select the name of the RFA from the drop-down list. Scroll down to the "Application and Support Information" section to view all documents that pertain to this RFA. Questions relevant to the RFA may be emailed to Lauren Dwiggs at lauren.dwiggs@tea.texas.gov on or before Friday, June 2, 2017. These questions, along with other information, will be addressed during the webinar. The applicants' conference webinar will be open to all potential applicants and will provide general and clarifying information about the grant program and RFA.

Requesting the Application. The announcement letter and complete RFA will be posted on the TEA Grant Opportunities web page at <http://tea4avoswald.tea.state.tx.us/GrantOpportunities/forms/Grant-ProgramSearch.aspx> for viewing and downloading. In the "Search Options" box, select the name of the RFA from the drop-down list. Scroll down to the "Application and Support Information" section to view and download all documents that pertain to this RFA.

Further Information. In order to make sure that no prospective applicant obtains a competitive advantage because of acquisition of information unknown to other prospective applicants, any and all questions must be submitted in writing to lauren.dwiggs@tea.texas.gov, the TEA contact person identified in the program guidelines of the RFA, no later than Monday, June 12, 2017. All questions and the written answers thereto will be posted on the TEA Grant Opportunities web page in the format of Frequently Asked Questions (FAQs) by Friday, June 16, 2017. In the "Search Options" box, select the name of the RFA

from the drop-down list. Scroll down to the "Application and Support Information" section to view all documents that pertain to this RFA.

Deadline for Receipt of Applications. Applications must be received in the TEA Document Control Center by 5:00 p.m. (Central Time), Tuesday, June 27, 2017, to be eligible to be considered for funding. TEA will not accept applications by email. Applications may be delivered to the TEA visitors' reception area on the second floor of the William B. Travis Building, 1701 North Congress Avenue (at 17th Street and North Congress, two blocks north of the Capitol), Austin, Texas 78701 or mailed to Document Control Center, Division of Grants Administration, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701-1494.

TRD-201701980

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: May 17, 2017

Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is June 26, 2017. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on June 26, 2017. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: 623 PASADENA, INCORPORATED dba Ashishs Store; DOCKET NUMBER: 2017-0154-PST-E; IDENTIFIER: RN102217387; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: out-of-service underground storage tank (UST) system; RULES VIOLATED: 30 TAC §37.867(a) and §334.54(b)(2) and (d)(2), by failing to maintain all piping, pumps, manways, tank access points, and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism

by unauthorized persons, and failing to ensure that a temporarily out of service UST system is empty no later than the 90th day after the coverage of financial assurance terminates; PENALTY: \$3,563; ENFORCEMENT COORDINATOR: Ken Moller, (512) 239-6111; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: Albemarle Corporation; DOCKET NUMBER: 2016-1527-AIR-E; IDENTIFIER: RN100211523; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: catalyst manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), Texas Health and Safety Code (THSC), §382.085(b), Federal Operating Permit (FOP) Number O1559, Special Terms and Conditions (STC) Number 9, and New Source Review (NSR) Permit Number 21995, Special Conditions (SC) Number 16.B, by failing to record the steam generating unit load for Steam Boiler VSP-9; 30 TAC §116.115(c) and §122.143(4), THSC, §382.085(b), FOP Number O1559, STC Number 9, and NSR Permit Number 2487, SC Number 1, by failing to comply with the particulate matter less than ten microns (PM10) hourly emissions limit for the Base Storage Hopper Bagfilter, Emission Point Number (EPN) HPC-31; 30 TAC §§106.8(c)(2)(B), 106.454(1)(A)(ii), and 122.143(4), THSC, §382.085(b), and FOP Number O1559, STC Numbers 9 and 10, by failing to record the solvent makeup for two onsite cold solvent degreasers; 30 TAC §116.115(c) and §122.143(4), THSC, §382.085(b), FOP Number O1559, STC Number 9, and NSR Permit Numbers 9402 and N022, SC 14, by failing to conduct the annual inspection for the Portable Bag Filter, EPN FCC-66; 30 TAC §§116.115(c), 117.340(j) and 122.143(4), THSC, §382.085(b), NSR Permit Numbers 9402 and N022, General Conditions Number 7, and FOP Number O1559, STC Number 9, by failing to install run-time meters; 30 TAC §101.10(e) and §122.143(4), THSC, §382.085(b), and FOP Number O1559, STC Number 2.E, by failing to report emissions of nitric acid for EPN FCC-21 in the emissions inventories for calendar years 2013 and 2014; and 30 TAC §116.615(2) and §122.143(4), THSC, §382.085(b), FOP Number O1559, STC Number 9, and Standard Permit Number 84228, by failing to comply with the PM10 yearly emissions limit for the Baghouse at the Belt Dryer Stack, EPN HPC-23; PENALTY: \$29,804; Supplemental Environmental Project offset amount of \$11,922; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: CAN-DOO BUDJET RENTALS INCORPORATED; DOCKET NUMBER: 2016-0948-MLM-E; IDENTIFIER: RN103157673; LOCATION: Abilene, Taylor County; TYPE OF FACILITY: sludge transportation service; RULES VIOLATED: 30 TAC §312.145(b)(4)(C), by failing to submit a complete annual summary report of the transportation activities for the period of June 1, 2014 - May 31, 2015 and for the period of June 1, 2015 - May 31, 2016; 30 TAC §312.145(a)(2) and (6), by failing to record all required information on trip tickets; 30 TAC §330.9(a), by failing to obtain authorization prior to storing, processing, removing, or disposing of municipal solid waste (MSW); TWC, §26.121(a)(1) and 30 TAC §330.15(a)(1), by failing to prevent the unauthorized disposal of MSW into or adjacent to water in the state; and 40 Code of Federal Regulations §279.22(c)(1) and 30 TAC §324.1, by failing to mark or label used oil storage containers with the words Used Oil; PENALTY: \$9,500; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(4) COMPANY: CARBINE KILO INCORPORATED dba Ginas Kwik Pantry; DOCKET NUMBER: 2017-0059-PST-E; IDENTIFIER: RN102351103; LOCATION: Granger, Williamson County; TYPE OF FACILITY: convenience store with retail sales of gasoline;

RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2), and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month, and failing to provide release detection for the pressurized piping associated with the UST system; and 30 TAC §334.602(a), by failing to identify and designate for the UST facility at least one named individual for each class of operator - Class A, Class B, and Class C; PENALTY: \$6,129; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(5) COMPANY: City of Alamo Heights; DOCKET NUMBER: 2017-0248-WQ-E; IDENTIFIER: RN105482020; LOCATION: Alamo Heights, Bexar County; TYPE OF FACILITY: small municipal separate storm sewer system; RULES VIOLATED: 30 TAC §281.25(b)(7), 40 Code of Federal Regulations §122.34(d)(3), and Texas Pollutant Discharge Elimination System (TPDES) General Permit (GP) Number TXR040048, Part IV, Section B.2, by failing to submit a concise annual report to the executive director within 90 days of the end of each reporting year; and 30 TAC §281.25(b)(7) and TPDES GP Number TXR040048, Part III, Section B.2(c)(2), by failing to implement best management practices identified in the Stormwater Management Plan for Minimum Control Measures Number 6, Pollution Prevention/Good Housekeeping for Municipal Operations; PENALTY: \$6,037; ENFORCEMENT COORDINATOR: Farhaud Abbaszadeh, (512) 239-0779; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(6) COMPANY: City of Grand Saline; DOCKET NUMBER: 2016-1802-PWS-E; IDENTIFIER: RN101385920; LOCATION: Grand Saline, Van Zandt County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.109(d)(4)(B), (formerly §290.109(c)(4)(B)) and §290.122(c)(2)(A) and (f), by failing to collect raw groundwater source *Escherichia coli* (*E.coli*) samples from the four active sources within 24 hours of notification of a distribution total coliform-positive result on a routine sample, and failing to provide public notification and submit a copy of the public notification to the executive director (ED) regarding the failure to collect a raw groundwater source *E.coli* sample from each active source within 24 hours of being notified of a distribution total coliform-positive result; 30 TAC §290.122(c)(2)(A) and (f), by failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit Disinfectant Level Quarterly Operating Reports and the failure to collect a raw groundwater source *E.coli* sample from each active source within 24 hours of being notified of a distribution total coliform-positive result; 30 TAC §290.122(b)(2)(A) and (f), by failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to comply with the maximum contaminant level for total coliform; and 30 TAC §290.117(i)(6) and (j), by failing to provide a consumer notification of lead tap water monitoring results to persons served at the sites that were tested, and failing to mail a copy of the consumer notification of tap results to the ED along with certification that the consumer notification has been distributed; PENALTY: \$1,830; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(7) COMPANY: City of Marlin; DOCKET NUMBER: 2017-0405-PWS-E; IDENTIFIER: RN102886892; LOCATION: Marlin, Falls County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(d)(2)(B) and §290.110(b)(4), and Texas Health and Safety Code, §341.0315(c), by failing to operate the disinfection equipment to maintain a minimum disinfectant residual of 0.5 milligrams per liter total chlorine throughout the distribution system at all times; 30 TAC §290.44(c), by failing to ensure that new waterlines are a minimum of two inches in diameter; and 30 TAC §290.44(a)(4),

by failing to install water transmission and distribution lines below the frost line and in no case less than 24 inches below the ground surface; PENALTY: \$2,128; ENFORCEMENT COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(8) COMPANY: City of Mason; DOCKET NUMBER: 2017-0217-MSW-E; IDENTIFIER: RN102002185; LOCATION: Mason, Mason County; TYPE OF FACILITY: type 1 municipal solid waste landfill; RULES VIOLATED: 30 TAC §§330.121(a), 330.159, and 330.371(c), and Municipal Solid Waste (MSW) Permit Number 195, Landfill Gas Management Plan (LGMP) - Appendix A (Gas Monitoring Procedures, Evaluation, and Reporting of Monitoring Results) and Site Operating Plan (SOP) §330.159 - Landfill Gas Control, by failing to monitor landfill gases in accordance with a LGMP; 30 TAC §330.165(a) and MSW Permit Number 195, SOP §330.165 - Landfill Cover, by failing to apply six inches of well-compacted earthen material not previously mixed with garbage, rubbish, or other solid waste at the end of each operating day; 30 TAC §330.139 and MSW Permit Number 195, SOP §330.125 - Recordkeeping Requirements, by failing to record and retain inspection records, training procedures, and notification procedures in the operating record; PENALTY: \$6,812; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(9) COMPANY: Custom Rack LLC; DOCKET NUMBER: 2016-2102-AIR-E; IDENTIFIER: RN108554700; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: plastisol dip surface coating facility; RULES VIOLATED: 30 TAC §116.110(a), and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization to construct and operate a source of air emissions; PENALTY: \$2,750; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(10) COMPANY: Forterra Pipe and Precast, LLC dba Forterra Pressure Pipe Grand Prairie; DOCKET NUMBER: 2017-0219-PST-E; IDENTIFIER: RN101997443; LOCATION: Grand Prairie, Dallas County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank for releases at a frequency of at least once every month; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Ken Moller, (512) 239-6111; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(11) COMPANY: Grand Harbor Water Supply Corporation; DOCKET NUMBER: 2017-0327-PWS-E; IDENTIFIER: RN104497946; LOCATION: Wise County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; and 30 TAC §290.117(c)(2)(C), (h), and (i)(1), by failing to collect lead and copper tap samples, have the samples analyzed, and report the results to the executive director; PENALTY: \$420; ENFORCEMENT COORDINATOR: James Fisher, (512) 239-2537; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(12) COMPANY: Gulfwest Waste Solutions, LLC; DOCKET NUMBER: 2016-2119-MLM-E; IDENTIFIER: RN100922392; LOCATION: Anahuac, Chambers County; TYPE OF FACILITY: type V facility; RULES VIOLATED: 30 TAC §330.219(b) and §330.675(a)(1)(A), and Municipal Solid Waste (MSW) Permit Num-

bers 2239A and 40254, Part 4, Site Operating Plan (SOP) Section 13.0, by failing to maintain an operating record which documents the annual and quarterly waste acceptance reports for the facility; 30 TAC §330.203(b), and MSW Permit Number 2239A, Part 4, SOP Section 5.0, by failing to provide documentation which verifies the total volume of non-hazardous pharmaceutical waste and regulated medical waste stored on-site; 30 TAC §330.219(b)(7), and MSW Permit Number 2239A, Part 4, SOP Sections 8.0 and 13.0, by failing to develop an operating record which clearly details the waste tracking procedure of all wastes received at the facility; 30 TAC §330.241(b) and (c), and MSW Permit Number 2239A, Part 4, SOP Section 24.0, by failing to provide documentation of alternative processing and disposal procedures for the solid waste; 30 TAC §330.203, and MSW Permit Number 2239A, Part 4, SOP Section 5.5 and Appendix 4, by failing to provide records generated from the on-board computer interface and printer of the mobile processing unit; 30 TAC §330.203, and MSW Permit Number 2239A, Part 4, SOP Sections 4.0, 5.12.1, and 15.12.2, by failing to maintain documentation of random inspections of incoming loads of waste; 30 TAC §330.219(b)(2) and §335.586(a), and MSW Permit Number 2239A, Part 4, SOP Section 2.6, by failing to record and retain a comprehensive personnel training program to provide solid waste management procedures and operations training to employees; 30 TAC §330.219(e), and MSW Permit Number 2239A, Part 4, SOP Section 2.1, by failing to provide verification that the facility has a licensed plant manager; 30 TAC §330.219(b) and (c), and MSW Permit Number 2239A, Part 4, SOP Section 13.0, by failing to provide verification that all signed reports are signed by a duly authorized representative; 30 TAC §305.125(8) and §330.219(b)(5), and MSW Permit Number 2239A, Part 4, SOP Section 13, by failing to provide modifications to the permit or approvals pertaining to the authorization of the waste lease agreement; 30 TAC §335.9(a)(2), by failing to submit to the executive director a complete and correct Annual Waste Summary detailing the management of each hazardous and Class 1 waste generated on-site during the reporting calendar year; and 30 TAC §335.10(a) and (c), and MSW Permit Number 2239A, Part 4, SOP Section 6.0, by failing to have shipping manifests documentation completed and immediately available upon waste generation for each of the industrial solid waste streams generated by the Respondent and shipped for disposal; PENALTY: \$26,056; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(13) COMPANY: J and S Water Company, L.L.C.; DOCKET NUMBER: 2017-0256-PWS-E; IDENTIFIER: RN101270080; LOCATION: Mont Belvieu, Chambers County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.110(e)(4)(A) and (f)(3), by failing to submit a Disinfectant Level Quarterly Operating Report to the executive director (ED) each quarter by the tenth day of the month following the end of the quarter; 30 TAC §290.109(d)(4)(B) (formerly §290.109(c)(4)(B)) and §290.122(c)(2)(A) and (f), by failing to collect a raw groundwater source *Escherichia coli* (*E.coli*) sample from each active source within 24 hours of being notified of a distribution total coliform-positive result, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect a raw groundwater source *E.coli* sample; 30 TAC §290.117(c)(2)(C), (h), and (i)(1), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed, and report the results to the ED; 30 TAC §290.117(i)(6) and (j), by failing to provide a consumer notification of lead tap water monitoring results to persons served at the sites that were tested, and failing to mail a copy of the consumer notification of tap results to the ED along with certification that the consumer notification has been distributed; 30 TAC §290.271(b) and §290.274(a) and (c), by failing to mail or directly deliver one copy of the Consumer Confidence

Report (CCR) to each bill paying customer by July 1st of each year, and failing to submit to the TCEQ by July 1st of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the facility and that the information in the CCR is correct and consistent with compliance monitoring data; 30 TAC §290.122(c)(2)(A) and (f), by failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect a routine distribution sample for coliform analysis; and 30 TAC §290.51(a)(6) and TWC, §5.702, by failing to pay public health service fees, including late fees, for TCEQ Financial Administration Account Numbers 91011493, 91011049, and 90360027; PENALTY: \$1,321; ENFORCEMENT COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(14) COMPANY: Jose E. Rapalo dba Cardinal Cleaners; DOCKET NUMBER: 2017-0202-MLM-E; IDENTIFIER: RN100729516; LOCATION: Houston, Harris County; TYPE OF FACILITY: dry cleaning drop station; RULES VIOLATED: 30 TAC §337.10(b)(1)(A) and Texas Health and Safety Code, §374.102(a), by failing to provide a written notice to the TCEQ of any changes or additional information concerning the facility; and 30 TAC §335.504 and §337.20(c), by failing to conduct hazardous waste determinations and waste classifications; PENALTY: \$5,677; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(15) COMPANY: M and D Development LLC; DOCKET NUMBER: 2017-0182-MWD-E; IDENTIFIER: RN106717028; LOCATION: Cypress, Harris County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0015090001, Interim Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; and 30 TAC §305.125(1) and (17), and TPDES Permit Number WQ0015090001, Sludge Provisions, by failing to timely submit the annual sludge report for the monitoring period ending July 31, 2016, to the TCEQ Houston Regional Office and the Enforcement Division Compliance Monitoring Team; PENALTY: \$1,650; ENFORCEMENT COORDINATOR: Ariel Ramirez, (512) 239-4935; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(16) COMPANY: MHC TT, Incorporated; DOCKET NUMBER: 2017-0234-MWD-E; IDENTIFIER: RN101717288; LOCATION: Willis, Montgomery County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0012349001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$4,875; Supplemental Environmental Project offset amount of \$1,950; ENFORCEMENT COORDINATOR: Ariel Ramirez, (512) 239-4935; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(17) COMPANY: NOBLE BUSINESS INCORPORATED dba JS Food and News Store; DOCKET NUMBER: 2017-0144-PST-E; IDENTIFIER: RN102408648; LOCATION: Kennedale, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (d)(1)(B)(ii), and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks at a frequency of at least once per month, and failing to conduct reconciliation of detailed inventory control records at least once each month, in a manner sufficiently accurate to detect a release which equals or exceeds the sum of 1.0% of the total substance flow-through for the month plus 130 gallons; PENALTY:

\$3,750; ENFORCEMENT COORDINATOR: Keith Frank, (512) 239-1203; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(18) COMPANY: OCI Beaumont LLC; DOCKET NUMBER: 2017-0223-AIR-E; IDENTIFIER: RN102559291; LOCATION: Nederland, Jefferson County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(b)(2)(F), 116.1422(b)(6), and 122.143(4), Texas Health and Safety Code, §382.085(b), 40 Code of Federal Regulations §52.21(b)(17) and §52.23, Federal Operating Permit Number O1645, General Terms and Conditions and Special Terms and Conditions Number 16, and Prevention of Significant Deterioration Permit Number PSD-TX-1334-GHG, by failing to comply with the annual emissions limitations; PENALTY: \$42,600; Supplemental Environmental Project offset amount of \$17,040; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(19) COMPANY: Pinery, Incorporated dba S and T Food Store 3; DOCKET NUMBER: 2017-0228-PST-E; IDENTIFIER: RN102443371; LOCATION: Desoto, Dallas County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank for releases at a frequency of at least once every month; PENALTY: \$2,438; ENFORCEMENT COORDINATOR: John Paul Fennell, (512) 239-2616; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(20) COMPANY: Pritul Investment Incorporated dba Texaco Cedar Hill; DOCKET NUMBER: 2017-0111-PST-E; IDENTIFIER: RN100531805; LOCATION: Cedar Hill, Dallas County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$6,750; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(21) COMPANY: Sam Sbini and Lisa Sbini dba AMA Food Store; DOCKET NUMBER: 2017-0221-PST-E; IDENTIFIER: RN101541506; LOCATION: Duncanville, Dallas County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank for releases at a frequency of at least once every month; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Ken Moller, (512) 239-6111; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(22) COMPANY: SESHAA, LLC dba Vista Mini Mart; DOCKET NUMBER: 2016-1693-PST-E; IDENTIFIER: RN102370244; LOCATION: Lake Jackson, Brazoria County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A), (2), and (d)(1)(B)(ii), and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month and failing to provide release detection for the pressurized piping associated with the UST system; 30 TAC §334.602(a), by failing to designate, train, and certify at least one named Class C Operator for the facility; and 30 TAC §334.7(e)(2) and §334.12(c)(1)(A), by failing to furnish information relating to the tank, including tank equipment and content, and failing to fill out a UST registration form completely and accurately; PENALTY: \$4,742; ENFORCEMENT COORDINATOR:

Benjamin Sakmar, (512) 239-1704; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(23) COMPANY: SPIRIT RAYS INCORPORATED dba Hills Country Food Mart; DOCKET NUMBER: 2017-0326-PWS-E; IDENTIFIER: RN104375084; LOCATION: Marble Falls, Burnet County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §§290.46(f)(4), 290.106(e), and 290.122(c)(2)(A) and (f), by failing to provide the results of nitrate sampling to the executive director (ED) and failing to issue public notification and submit a copy of the public notification to the ED regarding the failure to provide the results of nitrate sampling; and 30 TAC §290.122(c)(2)(A) and (f), by failing to issue public notification and submit a copy of the public notification to the ED regarding the failure to conduct routine coliform monitoring; PENALTY: \$375; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(24) COMPANY: TAHA INVESTMENTS INCORPORATED dba Lee's Quik Pak; DOCKET NUMBER: 2016-1232-PST-E; IDENTIFIER: RN101871481; LOCATION: Waco, McLennan County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.49(a)(1) and TWC, §26.3475(d), by failing to provide corrosion protection for the underground storage tank system; PENALTY: \$4,125; ENFORCEMENT COORDINATOR: Jonathan Nguyen, (512) 239-1661; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

TRD-201701963

Kathleen C. Decker

Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: May 16, 2017



Notice of District Petition

Notice issued May 11, 2017

TCEQ Internal Control No. D-02172017-014; Magnolia East 149, L.L.C. (Petitioner) filed a petition for creation of Magnolia East Municipal Utility District (District) with the TCEQ. The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 124.023 acres located within Montgomery County, Texas; and (4) all of the land within the proposed District is within the city limits of the City of Magnolia, Texas, and no portion of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. By Ordinance No. 0-2016-022, passed and approved September 13, 2016, the City of Magnolia, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The petition further states that the proposed District will: (1) purchase, design, construct, acquire, maintain and operate waterworks and sanitary sewer system for commercial and residential purposes; (2) construct, acquire, improve, extend, maintain and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate and amend local storm waters or other local harmful excesses of waters; (4) construct, acquire, maintain and operate parks and recreational facilities; (5) road facilities; and (6) purchase, con-

struct, acquire, improvement, maintain and operate such additional facilities, systems, plants and enterprises as shall be consistent with all of the purposes for which the proposed District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this petition. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$55,850,000 (\$34,300,000 utilities plus \$20,350,000 roads plus \$1,200,000 parks and recreational facilities).

INFORMATION SECTION

To view the complete issued notice, view the notice on our web site at https://www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the web site, type in the issued date range shown at the top of this document to obtain search results.

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our web site at www.tceq.texas.gov.

Issued in Austin, Texas on May 16, 2017

TRD-201701977

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 17, 2017



Notice of Hearing

Don Frazier Clark, Dustin K. Jones, and Donna Clark Jones, Individually and as a Trustee for Caden R. Jones and Colten H. Jones

SOAH Docket No. 582-17-4027

TCEQ Docket No. 2011-0085-WR

Application No. 3808C

APPLICATION.

Don Frazier Clark, Dustin K. Jones, and Donna Clark Jones, individually and as trustee for Caden R. Jones and Colten H. Jones, P.O. Box 947, Comanche, Texas 76442, (Applicants or Permittees) seek to amend Water Use Permit No. 3808 pursuant to Texas Water Code §11.122 and Texas Commission on Environmental Quality Rules 30 Texas Administrative Code (TAC) §295.1, *et seq.*

Applicants have applied for an amendment to Water Use Permit No. 3808 to extend the expiration date of their term authorization to divert and use water from a reservoir on Copperas (Rush) Creek, and a point on Copperas (Rush) Creek, Brazos River Basin in Comanche County.

Water Use Permit No. 3808 authorizes Permittees to close the ports on the Soil Conservation Service (SCS) Floodwater Retarding Dam No. 1, on Copperas (Rush) Creek, tributary of the Leon River, tributary of the Little River, tributary of the Brazos River, Brazos River Basin, and to impound 1,271 acre-feet of water.

The Permittees are also authorized to divert and use not to exceed 1,060 acre-feet of water per year from two points on the above mentioned reservoir and one point on Copperas (Rush) Creek for agricultural purposes to irrigate 530 acres of land out of a 2,035 acre tract of land in Comanche and Eastland Counties. The permit also authorizes the use of the bed and banks to convey water from the reservoir to the diversion point on the creek. The Applicants indicated that the reservoir and diversion points are located in zip code 76442.

Water Use Permit No. 3808 contains a special condition which states "In lieu of Special Condition 1.a., the authorization to divert and use water shall expire and become null and void on December 31, 2009, without further Commission action, and thereafter permittees shall open the ports in the service spillway to be opened allowing the reservoir to return to 200 acre-foot capacity level or less and maintain the reservoir. The impoundment may be used for domestic and livestock purposes, unless prior to such date the owner applies for and is subsequently granted an extension hereof." Other special conditions apply.

Applicants seek to amend Water Use Permit No. 3808 by extending the term authorization expiration date.

The application and a portion of the fees were received on April 30, 2009. Additional information and fees were received on August 19, 2009, and additional information August 28, and September 3, 2009. The application was accepted for filing and declared administratively complete on September 11, 2009.

The Executive Director has completed the technical review of the application and based on the results of the water availability analysis, appropriated but unused water is not available in the Brazos River Basin to support the Applicants' request. Staff therefore recommends that the application be denied.

CONTESTED CASE HEARING.

SOAH will conduct a preliminary hearing on this application at:

10:00 a.m. - June 19, 2017

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding will be similar to a civil trial in state district court.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 11, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

The applicant is automatically a party in this hearing. If anyone else wishes to be a party to the hearing, he or she must attend the hearing and show how he or she would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and any person may request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Tex. Admin. Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at <http://www.tceq.texas.gov/>.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week prior to the hearing.

Issued: May 15, 2017

TRD-201701975

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 17, 2017



Notice of Water Rights Application

Notices issued April 20, 2017, through May 11, 2017

APPLICATION NO. 13109; Donald Wayne Wilcox and Tina Wilcox, 4019 Fairview Road, Anahuac, Texas 77514, Applicants, have applied for a water use permit to divert and use not to exceed 1,148.83 acre-feet of water per year from a point on the Needmore Diversion Channel, tributary of the Gulf Intracoastal Waterway, Neches-Trinity Coastal Basin for agricultural purposes in Jefferson County, Texas. The application and partial fees were received on March 5, 2014. Additional information and fees were received on June 30, August 22 and 25, 2014; and April 9, and August 9, 2015. The application was declared administratively complete and filed with the Office of the Chief Clerk on December 1, 2015. The Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, streamflow restrictions. The application, technical memorandum, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, TX 78753. Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice.

APPLICATION NO. 3800C; The City of Dallas and City of Fort Worth, P.O. Box 619428, Dallas-Fort Worth Airport, Texas 75261-9428, Applicants, seek to amend Water Use Permit No. 3800 to remove the term and to decrease the maximum diversion rate from the authorized point on Trigg Lake on an unnamed tributary of Bear Creek, Trinity River Basin for storage in an off-channel reservoir for subsequent diversion

for agricultural purposes to irrigate in Tarrant and Dallas Counties. The application and partial fees were received on December 29, 2010. Additional information and fees were received on January 10 and March 1, 2011. The application was declared administratively complete and filed with the Office of the Chief Clerk on March 9, 2011. The Executive Director has completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would include special conditions, including but not limited to maintaining an alternate source of water and streamflow restrictions. The application, technical memoranda, and Executive Director's draft amendment are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, TX 78753. Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice.

APPLICATION NO. 12754; City of Huntsville, 1212 Avenue M, Huntsville, TX 77340, Applicant, seeks a Water Use Permit to authorize the use of the bed and banks of multiple tributaries of the West Fork San Jacinto River, San Jacinto River Basin to convey its historic and future groundwater and interbasin transfer surface water-based return flows for subsequent diversion and use for municipal, industrial, and agricultural purposes in Montgomery County Municipal Utility District Nos. 8 and 9's service area in Montgomery County. The application and fees were received on August 25, 2011. Additional information was received on February 16, May 16, July 15, July 20, September 27 and September 30, 2016. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on October 17, 2016. Additional information was received on January 5 and February 6, 2017. The Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions, including, but not limited to, maintenance of an accounting plan. The application, technical memorandum, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, TX 78753. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by May 31, 2017.

APPLICATION NO. 13066; PARR 4 CW, LLC, Applicant, 160 Club House Drive, Weatherford, Texas 76087, seeks a Water Use Permit to maintain five reservoirs on an unnamed tributary of Patrick Creek, Brazos River Basin, in Parker County. Applicant also seeks to use the bed and banks of the unnamed tributary of Patrick Creek to convey groundwater for subsequent diversion for agricultural purposes to irrigate in Parker County. The application and fees were received on July 08, 2013. Additional information and fees were received on July 11, 16, 25 and 26, 2013, February 18 and March 28, 2014, September 18, 2015, and January 5, 7 and 11, 2016. The application was declared administratively complete and filed with the Office of the Chief Clerk on February 16, 2016. The Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would contain special conditions including, but not limited to, installing intake screens on any new diversion structure(s) and maintenance of an alternate source. The application, technical memorandum, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, TX 78753. Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice.

APPLICATION NO. 13093; City of Wichita Falls, P.O. Box 1431 Wichita Falls, Texas 76307, Applicant, seeks a Temporary Water Use Per-

mit to divert and use not to exceed 200 acre-feet of water within a period of three years from Holliday Creek, tributary of Wichita River, tributary of Red River, Red River Basin for agricultural purposes to irrigate in Wichita County. The application and fees were received on November 13, 2013. Additional information was received on June 26, 2014, September 24, 2014, and April 1, 2015. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on June 2, 2015. The Executive Director has completed the technical review of the application and prepared a draft permit. The Executive Director has included special conditions in the draft permit including, but not limited to, streamflow restrictions for when diversions of water are allowed under the permit and a special condition requiring the Applicant to install intake screens with a mesh size of 0.25 inches or smaller and a maximum flow-through velocity of 0.5 feet per second on any new diversion structure(s). The application, technical memoranda, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, TX 78753. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by May 26, 2017.

To view the complete issued notice, view the notice on our web site at www.tceq.texas.gov/comm_exec/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the web site, type in the issued date range shown at the top of this document to obtain search results.

A public meeting is intended for the taking of public comment, and is not a contested case hearing.

The Executive Director can consider approval of an application unless a written request for a contested case hearing is filed. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement (I/we) request a contested case hearing; and (4) a brief and specific description of how you would be affected by the application in a way not common to the general public. You may also submit any proposed conditions to the requested application which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the TCEQ Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the requested permit and may forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at (800) 687 4040. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040.

TRD-201701978
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: May 17, 2017

Proposal for Decision

The State Office of Administrative Hearings issued a Proposal for Decision and Order to the Texas Commission on Environmental Quality on May 12, 2017, in the matter of the Executive Director of the Texas Commission on Environmental Quality v. Myong Rehman dba KP Foods; SOAH Docket No. 582-17-0875; TCEQ Docket No. 2016-0763-PST-E. The commission will consider the Administrative Law Judge's Proposal for Decision and Order regarding the enforcement action against Myong Rehman dba KP Foods on a date and time to be determined by the Office of the Chief Clerk in Room 201S of Building E, 12100 N. Interstate 35, Austin, Texas. This posting is Notice of Opportunity to Comment on the Proposal for Decision and Order. The comment period will end 30 days from date of this publication. Written public comments should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. If you have any questions or need assistance, please contact Mehgan Taack, Office of the Chief Clerk, (512) 239-3300.

TRD-201701979
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: May 17, 2017

Texas Ethics Commission

List of Late Filers

Below is a list from the Texas Ethics Commission naming the filers who failed to pay the penalty fine for failure to file the report, or filing a late report, in reference to the specified filing deadline. If you have any questions, you may contact Michelle Gonzales at (512) 463-5800.

Deadline: Semiannual Report due January 17, 2017, for Committees

Derrick Osobase, Texas Working People CWA Political Action Committee, 4301 W. William Cannon Dr., Ste. B-150 #126, Austin, Texas 78749 (\$500)

Deadline: Lobby Activities Report due March 10, 2017

James Andrew Campbell, P.O. Box 195892, Dallas, Texas 75219 (\$500)

Steven C. Ray, P.O. Box 1377, Austin, Texas 78767 (\$500)

TRD-201701951
Seana Willing
Executive Director
Texas Ethics Commission
Filed: May 11, 2017

Texas Facilities Commission

Request for Proposals #303-8-20602

The Texas Facilities Commission (TFC), on behalf of the Health and Human Services Commission (HHSC) and the Department of Family and Protective Services (DFPS), announces the issuance of Request for Proposals (RFP) #303-8-20602. TFC seeks a five (5) or ten (10) year lease of approximately 23,144 square feet of office space in Alamo, Hidalgo County, Texas.

The deadline for questions is **June 7, 2017**, and the deadline for proposals is **June 21, 2017**, at 3:00 p.m. The award date is **July 19, 2017**. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the

basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting the Program Specialist, Evelyn Esquivel, at (512) 463-6494. A copy of the RFP may be downloaded from the Electronic State Business Daily at http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=139985.

TRD-201701967

Kay Molina

General Counsel

Texas Facilities Commission

Filed: May 16, 2017



Department of State Health Services

Amendment to the Texas Schedules of Controlled Substances

This amendment to the Texas Schedules of Controlled Substances was signed by the Commissioner of the Department of State Health Services, and will take effect 21 days following publication of this notice in the *Texas Register*.

The Administrator of the Drug Enforcement Administration (DEA) issued a final order placing 4-methyl-N-ethylcathinone (4-MEC); 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP); alpha-pyrrolidinopentiophenone ([alpha]-PVP); 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone, bk-MBDB); 2-(methylamino)-1-phenylpentan-1-one (pentedrone); 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone, bk-MBDP); 4-fluoro-N-methylcathinone (4-FMC, flephedrone); 3-fluoro-N-methylcathinone (3-FMC); 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (naphyrone); alpha-pyrrolidinobutiophenone ([alpha]-PBP) and their optical, positional, and geometric isomers, salts and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible, into schedule I of the Controlled Substances Act pursuant to the scheduling provisions of the United States Controlled Substances Act (CSA) effective March 1, 2017. This final order was published in the *Federal Register*, Volume 82, Number 39, pages 12171-12177. The Administrator has taken action based on the following.

1. 4-MEC, 4-MePPP, alpha-PVP, butylone, pentadone, pentylone, flephedrone, 3-FMC, naphyrone, and alpha-PBP have a high potential for abuse that is comparable to other schedule I and schedule II substances such as mephedrone, methylone, MDPV, methcathinone, MDMA, methamphetamine, and cocaine;
2. 4-MEC, 4-MePPP, alpha-PVP, butylone, pentadone, pentylone, flephedrone, 3-FMC, naphyrone, and alpha-PBP have no currently accepted medical use in the treatment in the United States, and;
3. There is a lack of accepted safety for use of the 4-MEC, 4-MePPP, alpha-PVP, butylone, pentadone, pentylone, flephedrone, 3-FMC, naphyrone, and alpha-PBP under medical supervision.

The Administrator of the DEA issued a temporary scheduling order to schedule six synthetic cannabinoids methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-ADB; 5F-MDMB-PINACA); methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (Other names: 5F-AMB; N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (Other names: 5F-APINACA, 5F-AKB48; N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (Other names: ADB-FUBINACA); methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbu-

tanoate (Other names: MDMB-CHMICA, MMB-CHMINACA); and methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB-FUBINACA) into Schedule 1 effective April 10, 2017. This temporary order was published in the *Federal Register*, Volume 82, Number 67, pages 17119-17124. The Administrator has taken this action based on:

1. 5F-ADB, 5F-AMB, 5F-APINACA, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA have a high potential for abuse;
2. 5F-ADB, 5F-AMB, 5F-APINACA, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA have no currently accepted medical use in the treatment in the United States, and;
3. There is a lack of accepted safety for use of the 5F-ADB, 5F-AMB, 5F-APINACA, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA under medical supervision; and,
4. 5F-ADB, 5F-AMB, 5F-APINACA, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA pose an imminent hazard to the public safety.

The Administrator of the DEA issued an interim final rule placing Food and Drug Administration-approved products or oral solutions containing dronabinol [(-)-delta-9-trans tetrahydrocannabinol (delta-9-THC)] in schedule II of the Controlled Substances Act effective March 23, 2017. This interim final order was published in the *Federal Register*, Volume 82, Number 55, pages 14815-14820. The Administrator has taken this action because the Department of Health and Human Services provided the DEA with a scheduling recommendation that would result in oral solutions containing dronabinol being placed in schedule II of the Controlled Substances Act.

Lastly, the Administrator of the DEA issued a final order adopting without change an interim final rule placing brivaracetam into schedule V effective March 9, 2017. This final order was published in the *Federal Register*, Volume 82, Number 45, pages 13067-13069. No modification to the schedules is necessary.

Pursuant to Section 481.034(g), as amended by the 75th legislature, of the Texas Controlled Substances Act, Health and Safety Code, Chapter 481, at least thirty-one days have expired since notice of the above referenced actions were published in the *Federal Register*. In the capacity as Commissioner of the Texas Department of State Health Services, John Hellerstedt, M.D., does hereby order that the substances 4-methyl-N-ethylcathinone (4-MEC); 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP); alpha-pyrrolidinopentiophenone ([alpha]-PVP); 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone, bk-MBDB e); 2-(methylamino)-1-phenylpentan-1-one (pentedrone); 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone, bk-MBDP); 4-fluoro-N-methylcathinone (4-FMC, flephedrone); 3-fluoro-N-methylcathinone (3-FMC); 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (naphyrone); alpha-pyrrolidinobutiophenone ([alpha]-PBP) and their optical, positional, and geometric isomers, salts and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible, be placed into schedule I. It is hereby ordered that the substances methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-ADB; 5F-MDMB-PINACA); methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (Other names: 5F-AMB); N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (Other names: 5F-APINACA, 5F-AKB48; N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (Other names: ADB-FUBINACA); methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB-CHMICA, MMB-CHMINACA); and methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names:

MDMB-FUBINACA) be placed temporarily into schedule I. It is hereby ordered that Food and Drug Administration-approved products or oral solutions containing dronabinol [(–)-delta-9-trans tetrahydrocannabinol (delta-9-THC)] be placed in schedule II.

SCHEDULE I

Schedule I consists of:

- Schedule I opiates

- Schedule I opium derivatives

- Schedule I hallucinogenic substances

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic substances or that contains any of the substance's salts, isomers, and salts of isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation (for the purposes of this Schedule I hallucinogenic substances section only, the term "isomer" includes optical, position, and geometric isomers):

(1) Alpha-ethyltryptamine (some trade or other names: etryptamine; Monase;

alpha ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; alpha-ET; AET);

(2) alpha-methyltryptamine (AMT), its isomers, salts, and salts of isomers;

(3) 4 bromo 2,5 dimethoxyamphetamine (some trade or other names: 4 bromo-2,5 dimethoxy alpha methylphenethylamine; 4 bromo 2,5 DMA);

(4) 4-bromo-2,5-dimethoxyphenethylamine (some trade or other names: Nexus; 2C-B; 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethy1 DOB);

(5) 2,5 dimethoxyamphetamine (some trade or other names: 2,5 dimethoxy alpha methylphenethylamine; 2,5 DMA);

(6) 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DOET);

(7) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomers, salts and salts of isomers;

(8) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts, and salts of isomers;

(9) 5 methoxy 3,4 methylenedioxy-amphetamine;

(10) 4 methoxyamphetamine (some trade or other names: 4 methoxy alpha methylphenethylamine; paramethoxyamphetamine; PMA);

(11) 1 methyl 4 phenyl 1,2,5,6 tetrahydro pyridine (MPTP);

(12) 4 methyl 2,5 dimethoxyamphetamine (some trade and other names: 4 methyl 2,5 dimethoxy alpha methyl phenethylamine; "DOM"; and "STP");

(13) 3,4 methylenedioxy-amphetamine;

(14) 3,4 methylenedioxy-methamphetamine (MDMA, MDM);

(15) 3,4 methylenedioxy-N ethylamphetamine (some trade or other names: N ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine; N-ethyl MDA; MDE; MDEA);

(16) 3,4,5 trimethoxy amphetamine;

(17) N hydroxy 3,4 methylenedioxyamphetamine (Also known as N hydroxy MDA);

(18) 5-methoxy-N,N-dimethyltryptamine (Some trade or other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT;

(19) Bufotenine (some trade and other names: 3-(beta-Dimethylaminoethyl) 5 hydroxyindole; 3 (2 dimethylaminoethyl) 5 indolol; N,N dimethylserotonin; 5 hydroxy N,N dimethyltryptamine; map-pine);

(20) Diethyltryptamine (some trade and other names: N,N Diethyl-tryptamine; DET);

(21) Dimethyltryptamine (some trade and other names: DMT);

(22) Ethylamine Analog of Phencyclidine (some trade or other names: N ethyl 1 phenylcyclohexylamine; (1 phenylcyclohexyl) ethylamine; N (1 phenylcyclohexyl)-ethylamine; cyclohexamine; PCE);

(23) Ibogaine (some trade or other names: 7 Ethyl 6,6-beta, 7,8,9,10,12,13 octhydro 2 methoxy 6,9 methano-5H-pyrido[1',2':1,2] azepino [5,4 b] indole; taber-nanthe iboga);

(24) Lysergic acid diethylamide;

(25) Marihuana;

(26) Mescaline;

(27) N ethyl 3 piperidyl benzilate;

(28) N methyl 3 piperidyl benzilate;

(29) Parahexyl (some trade or other names: 3 Hexyl 1 hydroxy 7,8,9,10 tetrahydro 6,6,9 trimethyl 6H dibenzo [b,d] pyran; Synhexyl);

(30) Peyote, unless unharvested and growing in its natural state, meaning all parts of the plant classified botanically as Lophophora, whether growing or not, the seeds of the plant, an extract from a part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts;

(31) Psilocybin;

(32) Psilocin;

(33) Pyrrolidine analog of phencyclidine (some trade or other names: 1-(1 phenyl- cyclohexyl)-pyrrolidine, PCPy, PHP);

(34) Tetrahydrocannabinols;

meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extracts of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:

1 cis or trans tetrahydrocannabinol, and their optical isomers;

6 cis or trans tetrahydrocannabinol, and their optical isomers;

3,4 cis or trans tetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.);

(35) Thiophene analog of phencyclidine (some trade or other names: 1 [1 (2 thienyl);

cyclohexyl] piperidine; 2 thienyl analog of phencyclidine; TPCP);

(36) 1 [1 (2 thienyl)cyclohexyl]pyrrolidine (some trade or other names: TCPy);

- (37) 4-methylmethcathinone (Other names: 4-methyl-N-methylcathinone; mephedrone);
- (38) 3,4-methylenedioxypyrovalerone (MDPV);
- (39) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (Other names: 2C-E);
- (40) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (Other names: 2C-D);
- (41) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (Other names: 2C-C);
- (42) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (Other names: 2C-I);
- (43) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (Other names: 2C-T-2);
- (44) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (Other names: 2C-T-4);
- (45) 2-(2,5-Dimethoxyphenyl)ethanamine (Other names: 2C-H);
- (46) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (Other names: 2C-N);
- (47) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (Other names: 2C-P);
- (48) 3,4-Methylenedioxy-N-methylcathinone (Other name: Methy-lone);
- (49) (1-pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other names: UR-144 and 1-pentyl-3-(2,2,3,3-tetramethylcyclopropyl)indole);
- (50) [1-(5-fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone (Other names: 5-fluoro-UR-144 and 5-F-UR-144 and XLR11 and 1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole);
- (51) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide (Other names: APINACA, AKB48);
- (52) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: PB-22; QUPIC);
- (53) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5-fluoro-PB-22; 5F-PB-22);
- (54) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: AB-FUBINACA);
- (55) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA);
- (56) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe; 2CI-NBOMe; 25I; Cimbi-5);
- (57) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82);
- (58) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36);
- (59) Marihuana Extract
- Meaning an extract containing one or more cannabinoids that has been derived from any plant of the genus *Cannabis*, other than the separated resin (whether crude or purified) obtained from the plant.

- *(60) 4-methyl-N-ethylcathinone (4-MEC);
- *(61) 4-methyl-alpha- pyrrolidinopropiophenone (4-MePPP);
- *(62) alpha-pyrrolidinopentiophenone ([alpha]-PVP);
- *(63) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone, bk-MBDB e);
- *(64) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- *(65) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone, bk-MBDP);
- *(66) 4-fluoro-N-methylcathinone (4-FMC, flephedrone);
- *(67) 3-fluoro-N-methylcathinone (3-FMC);
- *(68) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (naphy-rone); and,
- *(69) alpha-pyrrolidinobutiophenone ([alpha]-PBP).
- Schedule I stimulants
- ***
- Schedule I depressants
- ***
- Schedule I Cannabimimetic agents
- ***
- Schedule I temporarily listed substances subject to emergency sched-
uling by the United States Drug Enforcement Administration.
- Unless specifically excepted or unless listed in another schedule, a ma-
terial, compound, mixture, or preparation that contains any quantity of
the following substances or that contains any of the substance's salts,
isomers, optical isomers, positional isomers, geometric isomers and
salts of isomers if the existence of the salts, isomers, and salts of iso-
mers is possible within the specific chemical designation.
- (1) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-
1H-indazole-3-carboxamide (Other names: "AB-CHMINACA");
- (2) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-inda-
zole-3-carboxamide (Other names: "AB-PINACA");
- (3) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone
(Other names: "THJ-2201");
- (4) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide (Other names:
acetyl fentanyl);
- (5) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexyl-
methyl)-1H-indazole-3-carboxamide (common names: MAB-CHMI-
NACA and ADB-CHMINACA);
- (6) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, also known as
N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide (Other name: bu-
tyryl fentanyl);
- (7) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenyl-
propionamide, also known as N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-
piperidinyl]-N-phenylpropanamide (Other name: beta-hydroxythiofen-
tanyl);
- (8) 3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenza-
mide (Other name: U47700);
- (9) N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide
(Other name: Furanyl fentanyl)

*(10) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-ADB; 5F-MDMB-PINACA);

*(11) methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (Other names: 5F-AMB);

*(12) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (Other names: 5F-APINACA, 5F-AKB48);

*(13) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (Other names: ADB-FUBINACA);

*(14) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB-CHMICA, MMB-CHMINACA); and,

*(15) methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB-FUBINACA)

SCHEDULE II

Schedule II consists of:

- Schedule II substances, vegetable origin or chemical synthesis

- Schedule II Opiates

- Schedule II stimulants

- Schedule II depressants

- Schedule II hallucinogenic substances

(1) Nabilone (Another name for nabilone: (±)-trans 3 (1,1 dimethylheptyl) 6,6a,7,8, 10,10a hexahydro 1 hydroxy 6,6 dimethyl 9H dibenzo[b,d]pyran 9 one); and,

*(2) Dronabinol [(-)-delta-9-trans tetrahydrocannabinol] in an oral solution in a drug product approved for marketing by the U.S. Food and Drug Administration.

- Schedule II precursors

SCHEDULE V

Schedule V consists of:

- Schedule V narcotics containing non-narcotic active medicinal ingredients

- Schedule V stimulants

- Schedule V depressants

Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

*(1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (Other names; BRV, UCB-34714, and Briviact);

(2) Ezogabine including its salts, isomers and salts of isomers, whenever the existence of such salts, isomers and salts of isomers is possible;

(3) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide]; and

(4) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].

Changes to the schedules are designated by an asterisk (*).

TRD-201701974

Lisa Hernandez

General Counsel

Department of State Health Services

Filed: May 26, 2017



Licensing Actions for Radioactive Materials

During the first half of April, 2017, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Safety Licensing Branch has determined that the applicant has complied with the licensing requirements in Title 25, Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC, §289.205(b)(15); Health and Safety Code, §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radiation Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: 512-834-6690, or by e-mail to: RAMlicensing@dshs.state.tx.us.

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Lakeway	Scott & White Hospital – Round Rock dba Baylor Scott & White Medical Center – Lakeway	L06849	Lakeway	00	04/05/17
Lubbock	Methodist Childrens Hospital dba Covenant Childrens Hospital	L06852	Lubbock	00	04/13/17
The Woodlands	KBI Biopharma Inc.	L06851	The Woodlands	00	04/07/17
Throughout TX	Geotek Coring Inc.	L06850	College Station	00	04/07/17
Throughout TX	Texas Geotechnics	L06848	Houston	00	04/06/17

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Amarillo	Amarillo College	L06477	Amarillo	03	04/06/17
Arlington	Texas Health Arlington Memorial Hospital	L02217	Arlington	114	04/10/17
Austin	Austin Radiological Association	L00545	Austin	198	04/07/17
Austin	The Austin Diagnostic Clinic Association	L05646	Austin	16	04/05/17
Austin	The Austin Diagnostic Clinic Association	L05646	Austin	17	04/06/17
Austin	ARA St. Davids Imaging L.P.	L05862	Austin	75	04/07/17
Austin	Veterinary Diagnostic Imaging of Texas P.A.	L05917	Austin	05	04/05/17
Bedford	Texas Oncology P.A.	L05550	Bedford	35	04/11/17
Channelview	Lyondell Chemical Company	L04439	Channelview	31	04/12/17
Conroe	Conroe Cancer Center L.P. dba Aspire Cancer Center Conroe	L06486	Conroe	01	04/05/17
Dallas	Walnut Hill Physicians Hospital L.L.C. dba Walnut Hill Medical Center	L06579	Dallas	10	04/12/17

AMENDMENTS TO EXISTING LICENSES ISSUED (continued):

Dallas	BT East Dallas JV L.L.P. dba Baylor Scott & White Medical Center – White Rock	L06791	Dallas	02	04/03/17
Fort Worth	Columbia Plaza Medical Center dba Medical City Fort Worth	L02171	Fort Worth	62	04/03/17
Fort Worth	Tarrant County Hospital District dba JPS Health Network	L02208	Fort Worth	85	04/12/17
Fort Worth	Texas Oncology P.A.	L05545	Fort Worth	58	04/11/17
Harker Heights	HH/Killeen Health System L.L.C. dba Seton Medical Center Harker Heights	L06481	Harker Heights	03	04/07/17
Houston	Harris County Hospital District dba Lyndon Baines Johnson Memorial Hosp.	L04412	Houston	47	04/12/17
Houston	Methodist Health Centers dba Houston Methodist Willowbrook Hospital	L05472	Houston	58	04/10/17
Houston	Chi St. Lukes Health Baylor College of Medicine Medical Center	L06661	Houston	05	04/03/17
Irving	Columbia Medical Center of Las Colinas Inc. dba Medical City Las Colinas	L05084	Irving	24	04/12/17
Jourdanton	San Miguel Electric Cooperative Inc.	L02347	Jourdanton	28	04/06/17
Lake Jackson	Brazosport Cardiology dba Pearland Heart Institute	L05359	Lake Jackson	11	04/06/17
Laredo	Laredo Texas Hospital Company L.P. dba Laredo Medical Center	L01306	Laredo	80	04/04/17
Laredo	Laredo Texas Hospital Company L.P. dba Laredo Medical Center	L01306	Laredo	81	04/06/17
Marble Falls	Scott & White Hospital – Marble Falls dba Baylor Scott & White Medical Center – Marble Falls	L06722	Marble Falls	06	04/11/17
Marshall	Harrison County Hospital Association dba Christus Good Shepherd Medical Center – Marshall	L02572	Marshall	40	04/12/17
New Braunfels	Cemex Construction Materials South L.L.C.	L06412	New Braunfels	02	04/07/17
Palestine	Palestine Principal Healthcare Limited Partnership dba Palestine Regional Medical Center	L02728	Palestine	48	04/06/17
San Angelo	San Angelo Hospital L.P. dba San Angelo Community Medical Center	L02487	San Angelo	59	04/06/17
San Antonio	South Texas Radiology Imaging Centers	L00325	San Antonio	238	04/11/17
Sugar Land	Methodist Sugar Land Hospital Cancer Center	L06232	Sugar Land	10	04/03/17
Tatum	Luminant Mining Company L.L.C.	L06081	Tatum	17	04/03/17
Thompsons	NRG Texas Power L.L.C.	L02063	Thompsons	77	04/11/17
Throughout TX	Arlington	L06413	Arlington	06	04/05/17
Throughout TX	Pegasus Inspection & Testing Inc.	L06673	Corpus Christi	04	04/07/17
Throughout TX	Alpha Testing Inc.	L03411	Dallas	30	04/07/17
Throughout TX	Crest Pumping Technologies L.L.C.	L06838	Fort Worth	01	04/12/17
Throughout TX	Nuclear Sources & Services Inc. dba NSSI/Sources & Services Inc. NSSI	L02991	Houston	42	04/07/17
Throughout TX	Nuclear Sources & Services Inc. dba NSSI/Sources & Services Inc. NSSI	L02991	Houston	43	04/13/17
Throughout TX	IOS/PCI L.L.C.	L06790	Houston	02	04/03/17
Throughout TX	The Dow Chemical Company	L00451	Lake Jackson	103	04/14/17
Throughout TX	Total NDT L.L.C.	L06736	Longview	01	04/13/17
Throughout TX	Permian Nondestructive Testing Inc.	L06001	Odessa	24	04/12/17
Throughout TX	Quantum Technical Services L.L.C.	L06406	Pasadena	14	04/12/17
Throughout TX	Southwest Research Institute	L00775	San Antonio	85	04/12/17
Throughout TX	Schlumberger Technology Corporation	L00109	Sugar Land	73	04/14/17
Throughout TX	Thermo Process Instruments L.P.	L06804	Sugar Land	01	04/07/17

AMENDMENTS TO EXISTING LICENSES ISSUED (continued):

Waco	Hillcrest Baptist Medical Center dba Baylor Scott & White Medical Center Hillcrest	L00845	Waco	115	04/12/17
Webster	Gulf Coast MRI & Diagnostic	L05333	Webster	24	04/07/17
Webster	Bay Area Regional Medical Center L.L.C.	L06655	Webster	09	04/10/17

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amend- ment Number	Date of Action
New Braunfels	Christus Santa Rosa Health Care Corporation dba Christus Santa Rosa Outpatient Imaging	L05995	New Braunfels	04	04/14/17

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amend- ment Number	Date of Action
The Woodlands	Opexa Therapeutics Inc.	L05592	The Woodlands	0013	04/12/17

TRD-201701958
Lisa Hernandez
General Counsel
Department of State Health Services

Filed: May 15, 2017



Licensing Actions for Radioactive Materials

During the second half of April, 2017, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Safety Licensing Branch has determined that the applicant has complied with the licensing requirements in Title 25, Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC, §289.205(b)(15); Health and Safety Code, §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radiation Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: 512-834-6690, or by e-mail to: RAMlicensing@dshs.state.tx.us.

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Abilene	Texas Oncology P.A.	L06853	Abilene	00	04/19/17
Baytown	Oprex Surgery (Baytown) L.P. dba Altus Baytown Hospital	L06854	Baytown	00	04/19/17
Bishop	BASF Corporation	L06855	Bishop	00	04/20/17
Dallas	Healthscan Imaging L.L.C.	L06856	Dallas	00	04/26/17

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Amarillo	Amarillo Medical Specialists L.L.P.	L05525	Amarillo	11	04/26/17
Arlington	USMD Hospital at Arlington	L05727	Arlington	25	04/25/17
Arlington	USMD Diagnostic Services L.L.C.	L06705	Arlington	08	04/24/17
Austin	Seton Family of Hospitals	L00268	Austin	157	04/18/17
Austin	Austin Radiological Association	L00545	Austin	199	04/28/17
Austin	ARA St. David's Imaging L.P.	L05862	Austin	76	04/27/17
Bishop	Ticona Polymers Inc.	L02441	Bishop	59	04/19/17
Cedar Park	Cedar Park Health System L.P. dba Cedar Park Regional Medical Center	L06140	Cedar Park	16	04/19/17
Dallas	Texas A&M University Health Science Center	L00323	Dallas	46	04/20/17
Dallas	Medical City Dallas Hospital dba Medical City	L01976	Dallas	209	04/26/17
Deer Park	Total Petrochemicals & Refining USA Inc.	L00302	Deer Park	64	04/27/17
Freeport	BASF Corporation	L01021	Freeport	66	04/28/17
Freeport	Braskem America Inc.	L06443	Freeport	04	04/19/17

AMENDMENTS TO EXISTING LICENSES ISSUED (continued):

Garland	BT Garland JV L.L.P. dba Baylor Scott & White Medical Center – Garland	L06775	Garland	02	04/24/17
Houston	Memorial Hermann Health System dba Memorial Hermann Southwest Hospital	L00439	Houston	228	04/20/17
Houston	Westhollow Technology Center	L02116	Houston	56	04/25/17
Houston	Memorial Hermann Health System dba Memorial Hermann Northeast Hospital	L02412	Houston	122	04/20/17
Houston	Memorial Hermann Health System dba Memorial Hermann Katy Hospital	L03052	Houston	84	04/20/17
Houston	Memorial Hermann Health System dba Memorial Hermann Hospital The Woodlands	L03772	Houston	146	04/20/17
Houston	Memorial Hermann Health System dba Memorial Hermann Cypress Hospital	L06832	Houston	03	04/20/17
Lakeway	Scott & White Hospital – Round Rock dba Baylor Scott & White Medical Center – Lakeway	L06849	Lakeway	01	04/26/17
Lewisville	Columbia Medical Center of Lewisville Subsidiary L.P. dba Medical Center of Lewisville	L02739	Lewisville	78	04/19/17
Longview	The Good Shepherd Hospital Inc. dba Christus Good Shepherd Medical Center – Longview	L02411	Longview	99	04/28/17
Midlothian	Holcim (Texas) L.P.	L05888	Midlothian	12	04/25/17
Orange	E I Du Pont De Nemours & Co.	L00005	Orange	81	04/28/17
Paris	Radiology Center of Paris Ltd.	L05445	Paris	23	04/18/17
Plano	Physician Reliance Network Inc. dba Texas Oncology Plano West Cancer Ctr.	L05896	Plano	32	04/19/17
Round Rock	Scott & White Hospital Round Rock dba Baylor Scott & White Medical Center Round Rock	L06085	Round Rock	22	04/25/17
San Antonio	Methodist Healthcare System of San Antonio Ltd., L.L.P.	L00594	San Antonio	359	04/26/17
San Antonio	Christus Santa Rosa Health Care	L02237	San Antonio	163	04/18/17
San Antonio	VHS San Antonio Imaging Partners L.P. dba Baptist M&S Imaging Centers	L04506	San Antonio	94	04/20/17
San Antonio	Alamo Cement Company	L04951	San Antonio	14	04/26/17
San Antonio	Texas Oncology P.A.	L06747	San Antonio	04	04/19/17
San Antonio	Heart Endovascular and Rhythm of Texas P.A.	L06814	San Antonio	01	04/24/17
Spring	Supply Chain Solutions Ltd. dba Antares USA Ltd.	L06253	Spring	08	04/28/17
Sugar Land	Methodist Sugar Land Hospital Cancer Center	L06232	Sugar Land	11	04/26/17
Throughout TX	Desert NDT L.L.C. dba Shawcor	L06462	Abilene	36	04/28/17
Throughout TX	ECS Southwest L.L.P.	L05319	Austin	10	04/25/17
Throughout TX	Regional Engineering Inc.	L06471	Austin	06	04/26/17
Throughout TX	ECS Southwest L.L.P.	L05384	Carrollton	15	04/19/17
Throughout TX	Profrac Services L.L.C.	L06808	Cisco	02	04/18/17
Throughout TX	Professional Service Industries	L04939	Corpus Christi	20	04/18/17
Throughout TX	Spectrum Tracer Services L.L.C.	L06361	Corpus Christi	10	04/19/17
Throughout TX	Team Consultants Inc.	L04012	Dallas	13	04/19/17
Throughout TX	Reed Engineering Group Inc.	L04343	Dallas	19	04/19/17
Throughout TX	Alliance Geotechnical Group Inc.	L05314	Dallas	32	04/25/17
Throughout TX	Professional Services Industries Inc.	L02476	El Paso	29	04/27/17
Throughout TX	Sterigenics US L.L.C.	L03851	Fort Worth	47	04/28/17
Throughout TX	Atser Corporation	L04741	Houston	33	04/19/17

AMENDMENTS TO EXISTING LICENSES ISSUED (continued):

Waco	Hillcrest Baptist Medical Center dba Baylor Scott & White Medical Center Hillcrest	L00845	Waco	115	04/12/17
Webster	Gulf Coast MRI & Diagnostic	L05333	Webster	24	04/07/17
Webster	Bay Area Regional Medical Center L.L.C.	L06655	Webster	09	04/10/17

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
New Braunfels	Christus Santa Rosa Health Care Corporation dba Christus Santa Rosa Outpatient Imaging	L05995	New Braunfels	04	04/14/17

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
The Woodlands	Opexa Therapeutics Inc.	L05592	The Woodlands	0013	04/12/17

TRD-201701959
Lisa Hernandez
General Counsel
Department of State Health Services
Filed: May 15, 2017

Norma Garcia
General Counsel
Texas Department of Insurance
Filed: May 11, 2017

Texas Department of Insurance

Correction of Error

On March 31, 2017 Commissioner Mattax signed an adoption order repealing Title 28 TAC, Chapter 11, §§11.1 - 11.2612, relating to Health Maintenance Organizations. The commissioner also adopted a new Title 28 TAC, Chapter 11, §§11.1 - 11.2612, relating to Health Maintenance Organizations, to replace the existing chapter. The adoption of the repeal and new sections is effective August 1, 2017.

The department submitted this order on April 5, 2017 to the Office of the Secretary of State for publication in the April 21, 2017 issue of the *Texas Register*. However, the adoption order, as submitted, contained an error to §11.204(8)(A) that was discovered after submission.

At 42 TexReg 2224, right-hand column, bottom line, the text refers to the wrong Form number as FIN 314.

The text of §11.204(8)(A) should read as follows:

"(A) if the applicant is domiciled in another jurisdiction, an agent for service of legal process must be appointed in compliance with Insurance Code Chapter 804 (concerning Service of Process) using Form FIN 312 (rev. 04/00), and the applicant must furnish a copy of the certificate of authority from the domiciliary jurisdiction's licensing authority; and"

TRD-201701944

Texas Lottery Commission

Scratch Ticket Game Number 1859 "Crossword Connect"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1859 is "CROSSWORD CONNECT". The play style is "crossword".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1859 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1859.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.


B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z and BLACKENED SQUARE SYMBOL.

D. Play Symbol Caption - the small printed material appearing below each Play Symbol which explains the Play Symbol. One and only one of these Play Symbol Captions appears under each Play Symbol and each is printed in caption font in black ink in positive. Crossword and Bingo style games do not typically have Play Symbol Captions. The

Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 1859 – 1.2D

PLAY SYMBOL	CAPTION
A	
B	
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
N	
O	
P	
Q	
R	
S	
T	
U	
V	
W	
X	
Y	
Z	
 SYMBOL	

E. Serial Number - A unique 13 (thirteen) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A 24 (twenty-four) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Scratch Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1859), a seven (7) digit Pack

number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 1859-0000001-001.

H. Pack - A Pack of "CROSSWORD CONNECT" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and the back of 075 while the other fold will show the back of Ticket 001 and front of 075.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State

Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket, or Ticket - A Texas Lottery "CROSSWORD CONNECT" Scratch Ticket Game No. 1859.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "CROSSWORD CONNECT" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 262 (two hundred sixty-two) possible Play Symbols. The player must scratch all of the 18 YOUR LETTERS. The player then scratches all the letters found in PUZZLE 1, PUZZLE 2 and the CROSSWORD CONNECT WORD that exactly match the YOUR LETTERS. If the player has scratched at least 3 complete WORDS within a PUZZLE, the player wins the prize found in the corresponding PRIZE LEGEND. WORDS revealed in one PUZZLE cannot be combined with WORDS revealed in the other PUZZLE. Each PUZZLE is played separately. Only one prize paid per PUZZLE. Only letters within the same PUZZLE that are matched with the YOUR LETTERS can be used to form a complete WORD. In each PUZZLE, every lettered square within an unbroken horizontal (left to right) or vertical (top to bottom) sequence must be matched with the YOUR LETTERS to be considered a complete WORD. Words revealed in a diagonal sequence are not considered valid WORDS. Words within WORDS are not eligible for a prize. A complete WORD must contain at least three letters. PUZZLE 1 and PUZZLE 2 can win by revealing 3 to 10 complete WORDS in each PUZZLE. CROSSWORD CONNECT WORD: Complete the WORD that connects the two PUZZLES and win \$50. The CROSSWORD CONNECT WORD does not count toward the total number of completed WORDS in PUZZLE 1 or PUZZLE 2. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly 262 (two hundred sixty-two) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption; Crossword and Bingo games do not typically have Play Symbol captions;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;

10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;

11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

12. The Play Symbols, Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly 262 (two hundred sixty-two) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the 262 (two hundred sixty-two) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 262 (two hundred sixty-two) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. A Ticket can only win one (1) time per PUZZLE and a total up to three (3) times in accordance with the approved prize structure.

B. Adjacent Non-Winning Tickets within a Pack will not have matching Play Symbol patterns. Two (2) Tickets have matching Play Symbol patterns if they have the same Play Symbol in the same spots.

C. The "YOUR LETTERS" Play Symbols will all be different on a Ticket.

D. The "YOUR LETTERS" Play Symbols will contain a minimum of three (3) vowel letters on a Ticket. Vowels are A, E, I, O and U.

E. All words used will be from the TEXAS APPROVED WORD LIST CASHWORD/CROSSWORD v.1.0.

F. Words from the TEXAS REJECTED WORD LIST v.2.0 will not appear horizontally, left to right or right to left in the YOUR LETTERS play area.

G. The presence or absence of words on a PUZZLE will not be indicative of a winning or Non-Winning Ticket to avoid pick out of winners and Non-Winning Tickets.

H. For each uncovered pattern's prize level the "YOUR LETTERS" Play Symbols will not always appear in the same spots.

I. No PUZZLE on a Ticket will contain matching words.

J. The CROSSWORD CONNECT WORD will not count towards the number of words revealed in PUZZLE 1 or PUZZLE 2.

K. Each PUZZLE on a Ticket will contain at least two (2) completed words.

L. Adjacent Non-Winning Tickets within a Pack will not have matching PUZZLES. Two (2) Tickets have matching PUZZLES if they have the same Play Symbols in the same spots.

M. All non-winning PUZZLES will have at least four (4) words with all but one letter revealed.

N. There will be forty-eight (48) different grids used in this game. A GRID is an empty 11x11 black and white pattern.

O. The two (2) PUZZLES on the same Ticket will be different.

P. Each grid will contain the same number of letters.

Q. Each PUZZLE will contain twenty two (22) words.

R. Each PUZZLE will contain ten (10) to twelve (12) vertical words plus ten (10) to twelve (12) horizontal words.

S. There is no correlation between any exposed data on a Ticket and its status as a winner and non-winner.

T. No PUZZLE will contain duplicate words.

U. The minimum length of the words contained within a PUZZLE will be three (3) letters.

V. The maximum length of the words contained within a PUZZLE will be ten (10) letters.

W. When played, no PUZZLE will contain more than ten (10) matched words.

X. No one letter will appear more than ten (10) times within a single standard (11x11) grid.

Y. The CROSSWORD CONNECT WORD will be completed as dictated by the prize structure.

Z. Tickets with a non-winning CROSSWORD CONNECT WORD will have at least one (1) letter of the CROSSWORD CONNECT WORD revealed.

AA. Each PUZZLE can win only once.

2.3 Procedure for Claiming Prizes.

A. To claim a "CROSSWORD CONNECT" Scratch Ticket Game prize of \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$100, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to

any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "CROSSWORD CONNECT" Scratch Ticket Game prize of \$1,000 or \$100,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "CROSSWORD CONNECT" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct:

1. A sufficient amount from the winnings of a prize winner who has been finally determined to be:

a. delinquent in the payment of a tax or other CROSSWORD CONNECT to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

b. in default on a loan made under Chapter 52, Education Code; or

c. in default on a loan guaranteed under Chapter 57, Education Code; and

2. delinquent child support payments from the winnings of a prize winner in the amount of the delinquency as determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "CROSSWORD CONNECT" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "CROSSWORD CONNECT" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A

Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 22,080,000 Scratch Tickets in Scratch Ticket Game No. 1859. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1859 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5	2,502,400	8.82
\$10	1,398,400	15.79
\$15	883,200	25.00
\$20	588,800	37.50
\$25	147,200	150.00
\$50	222,640	99.17
\$100	31,280	705.88
\$200	11,040	2,000.00
\$500	3,680	6,000.00
\$1,000	552	40,000.00
\$100,000	10	2,208,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 3.81. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1859 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 1859, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-201701961

Bob Biard

General Counsel

Texas Lottery Commission

Filed: May 15, 2017



Scratch Ticket Game Number 1887 "\$2,000 Ca\$h"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1887 is "\$2,000 CASH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1887 shall be \$1.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1887.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100 and \$2,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 1887 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWTV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THR\$
\$4.00	FOR\$
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$2,000	TOTH

E. Serial Number - A unique 13 (thirteen) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A 24 (twenty-four) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Scratch Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1887), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 150 within each Pack. The format will be: 1887-0000001-001.

H. Pack - A Pack of the "\$2,000 CASH" Scratch Ticket Game contains 150 Scratch Tickets, packed in plastic shrink-wrapping and fanfolded in pages of five (5). Ticket 001 to 005 will be on the top page; Tickets 006 to 010 on the next page etc.; and Tickets 146 to 150 will be on the last page. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "\$2,000 CASH" Scratch Ticket Game No. 1887.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "\$2,000 CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 12 (twelve) Play Symbols. If a player matches any of YOUR NUMBERS Play Symbols to either of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly 12 (twelve) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;

9. The Scratch Ticket must not be counterfeit in whole or in part;

10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;

11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

12. The Play Symbols, Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly 12 (twelve) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the 12 (twelve) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 12 (twelve) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

Programmed Game Parameters.

A. Consecutive Non-Winning Tickets within a Pack will not have matching patterns of either Play Symbols or Prize Symbols.

B. A Ticket will win as indicated by the prize structure.

C. A Ticket can win up to five (5) times.

D. No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.

E. Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

F. Non-Winning Tickets will not contain more than two matching Prize Symbols.

G. No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

H. YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 1 and \$1, 5 and \$5, 10 and \$10, 20 and \$20).

2.3 Procedure for Claiming Prizes.

A. To claim a "\$2,000 CASH" Scratch Ticket Game prize of \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00 or \$100, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00 or \$100 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "\$2,000 CASH" Scratch Ticket Game prize of \$2,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "\$2,000 CASH" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct:

1. A sufficient amount from the winnings of a prize winner who has been finally determined to be:

a. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

b. in default on a loan made under Chapter 52, Education Code; or

c. in default on a loan guaranteed under Chapter 57, Education Code; and

2. delinquent child support payments from the winnings of a prize winner in the amount of the delinquency as determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "\$2,000 CASH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "\$2,000 CASH" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 7,200,000 Scratch Tickets in Scratch Ticket Game No. 1887. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1887 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$1	576,000	12.50
\$2	448,000	16.07
\$3	160,000	45.00
\$4	72,000	100.00
\$5	192,000	37.50
\$10	32,000	225.00
\$20	16,000	450.00
\$50	4,600	1,565.22
\$100	2,000	3,600.00
\$2,000	25	288,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 4.79. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1887 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 1887, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-201701968
Bob Biard
General Counsel
Texas Lottery Commission
Filed: May 16, 2017



Scratch Ticket Game Number 1888 "\$75,000 Ca\$h"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1888 is "\$75,000 CASH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1888 shall be \$3.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1888.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, SINGLE CHERRY SYMBOL, ANCHOR SYMBOL, BANANA SYMBOL, DICE SYMBOL, DIAMOND SYMBOL, PINEAPPLE SYMBOL, BELL SYMBOL, SUN SYMBOL, GOLD BAR SYMBOL, \$3.00, \$5.00, \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$1,000 and \$75,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears

under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO.1888 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRV
36	TRSX
37	TRSV

38	TRET
39	TRNI
40	FRTY
SINGLE CHERRY SYMBOL	CHERRY
ANCHOR SYMBOL	ANCHOR
BANANA SYMBOL	BANANA
DICE SYMBOL	DICE
DIAMOND SYMBOL	DIAMOND
PINEAPPLE SYMBOL	PNAPLE
BELL SYMBOL	BELL
SUN SYMBOL	SUN
GOLD BAR SYMBOL	WIN\$5
\$3.00	THR\$
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$1,000	ONTH
\$75,000	75TH

E. Serial Number- A unique 13 (thirteen) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A 24 (twenty-four) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Scratch Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1888), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 1888-0000001-001.

H. Pack - A Pack of the "\$75,000 CASH" Scratch Ticket Game contains 125 Scratch Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 125 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 125 will be shown on the back of the Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State

Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "\$75,000 CASH" Scratch Ticket Game No. 1888.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "\$75,000 CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 29 (twenty-nine) Play Symbols. MAIN PLAY AREA: If a player matches any of YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. BONUS CASH PLAY AREA: If a player reveals a "GOLD BAR" Play Symbol, the player wins \$5 instantly. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly 29 (twenty-nine) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;

2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
 3. Each of the Play Symbols must be present in its entirety and be fully legible;
 4. Each of the Play Symbols must be printed in black ink except for dual image games;
 5. The Scratch Ticket shall be intact;
 6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;
 7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
 8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
 9. The Scratch Ticket must not be counterfeit in whole or in part;
 10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
 11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
 12. The Play Symbols, Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be right side up and not reversed in any manner;
 13. The Scratch Ticket must be complete and not miscut, and have exactly 29 (twenty-nine) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;
 14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
 15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
 16. Each of the 29 (twenty-nine) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
 17. Each of the 29 (twenty-nine) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
 18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
 19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.
- B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.
- C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the

Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

- A. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns of either Play Symbols or Prize Symbols.
- B. GENERAL: A Ticket will win as indicated by the prize structure.
- C. GENERAL: A Ticket can win up to thirteen (13) times.
- D. MAIN PLAY AREA: On winning and Non-Winning Tickets, the top cash prizes of \$1,000 and \$75,000 will each appear at least once, except on Tickets winning thirteen (13) times.
- E. MAIN PLAY AREA: No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.
- F. MAIN PLAY AREA: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.
- G. MAIN PLAY AREA: No matching WINNING NUMBERS Play Symbols will appear on a Ticket.
- H. MAIN PLAY AREA: YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 3 and \$3, 5 and \$5, 10 and \$10, 20 and \$20, 50 and \$50).
- I. MAIN PLAY AREA: On all Tickets, a Prize Symbol will not appear more than four (4) times, except as required by the prize structure to create multiple wins.
- J. MAIN PLAY AREA: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.
- K. BONUS CASH PLAY AREA: The "GOLD BAR" (WIN\$5) Play Symbol will only appear on winning Tickets as per the prize structure.
- L. BONUS CASH PLAY AREA: The "GOLD BAR" (WIN\$5) Play Symbol will never appear on a Non-Winning Ticket.

2.3 Procedure for Claiming Prizes.

- A. To claim a "\$75,000 CASH" Scratch Ticket Game prize of \$3.00, \$5.00, \$8.00, \$10.00, \$20.00, \$30.00, \$50.00 or \$100, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$30.00, \$50.00 or \$100 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.
- B. To claim a "\$75,000 CASH" Scratch Ticket Game prize of \$1,000 or \$75,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated

by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "\$75,000 CASH" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct:

1. A sufficient amount from the winnings of a prize winner who has been finally determined to be:

a. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

b. in default on a loan made under Chapter 52, Education Code; or

c. in default on a loan guaranteed under Chapter 57, Education Code; and

2. delinquent child support payments from the winnings of a prize winner in the amount of the delinquency as determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "\$75,000 CASH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "\$75,000 CASH" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 6,000,000 Scratch Tickets in Scratch Ticket Game No. 1888. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1888 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$3	448,000	13.39
\$5	584,000	10.27
\$8	112,000	53.57
\$10	128,000	46.88
\$20	88,000	68.18
\$30	26,250	228.57
\$50	17,500	342.86
\$100	15,625	384.00
\$1,000	20	300,000.00
\$75,000	6	1,000,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 4.23. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1888 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 1888, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-201701969
Bob Biard
General Counsel
Texas Lottery Commission
Filed: May 16, 2017



Scratch Ticket Game Number 1889 "\$200,000 Ca\$h"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1889 is "\$200,000 CASH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1889 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1889.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, SINGLE CHERRY SYMBOL, ANCHOR SYMBOL, BANANA SYMBOL, DICE SYMBOL, DIAMOND SYMBOL, PINEAPPLE SYMBOL, BELL SYMBOL, SUN SYMBOL, GOLD BAR SYMBOL, \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$250, \$500, \$1,000 and \$200,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 1889 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWFV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV

38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
SINGLE CHERRY SYMBOL	CHERRY
ANCHOR SYMBOL	ANCHOR
BANANA SYMBOL	BANANA
DICE SYMBOL	DICE
DIAMOND SYMBOL	DIAMOND
PINEAPPLE SYMBOL	PNAPLE
BELL SYMBOL	BELL
SUN SYMBOL	SUN
GOLD BAR SYMBOL	WIN\$10
\$5.00	FIV\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$250	TOFF
\$500	FVHN
\$1,000	ONTH
\$200,000	200TH

E. Serial Number - A unique 13 (thirteen) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A 24 (twenty-four) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Scratch Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1889), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 1889-0000001-001.

H. Pack - A Pack of the "\$200,000 CA\$H" Scratch Ticket Game contains 075 Scratch Tickets, packed in plastic shrink-wrapping and fan-folded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 075 will be revealed on the back of the Pack.

All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 075 will be shown on the back of the Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "\$200,000 CASH" Scratch Ticket Game No. 1889.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "\$200,000 CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 47 (forty-seven) Play Symbols. MAIN PLAY AREA: If a player matches any of YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. BONUS CASH PLAY AREA: If a player reveals a "GOLD BAR" Play Symbol, the player wins \$10 instantly. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly 47 (forty-seven) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly 47 (forty-seven) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the 47 (forty-seven) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 47 (forty-seven) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

Programmed Game Parameters.

A. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns of either Play Symbols or Prize Symbols.

B. GENERAL: A Ticket will win as indicated by the prize structure.

C. GENERAL: A Ticket can win up to twenty-one (21) times.

D. MAIN PLAY AREA: On winning and Non-Winning Tickets, the top cash prizes of \$1,000 and \$200,000 will each appear at least once, except on Tickets winning twenty (20) times.

E. MAIN PLAY AREA: No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.

F. MAIN PLAY AREA: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

G. MAIN PLAY AREA: No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

H. MAIN PLAY AREA: YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 5 and \$5, 10 and \$10, 15 and \$15, 20 and \$20, 50 and \$50).

I. MAIN PLAY AREA: On all Tickets, a Prize Symbol will not appear more than four (4) times, except as required by the prize structure to create multiple wins.

J. MAIN PLAY AREA: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

K. BONUS CASH PLAY AREA: The "GOLD BAR" (WIN\$10) Play Symbol will only appear on winning Tickets as per the prize structure.

L. BONUS CASH PLAY AREA: The "GOLD BAR" (WIN\$10) Play Symbol will never appear on a Non-Winning Ticket.

2.3 Procedure for Claiming Prizes.

A. To claim a "\$200,000 CASH" Scratch Ticket Game prize of \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$250 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100, \$250 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "\$200,000 CASH" Scratch Ticket Game prize of \$1,000 or \$200,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "\$200,000 CASH" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct:

1. A sufficient amount from the winnings of a prize winner who has been finally determined to be:

- a. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
- b. in default on a loan made under Chapter 52, Education Code; or
- c. in default on a loan guaranteed under Chapter 57, Education Code; and

2. delinquent child support payments from the winnings of a prize winner in the amount of the delinquency as determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "\$200,000 CASH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "\$200,000 CASH" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 6,120,000 Scratch Tickets in Scratch Ticket Game No. 1889. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1889 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5	612,000	10.00
\$10	557,600	10.98
\$15	204,000	30.00
\$20	108,800	56.25
\$50	63,750	96.00
\$100	22,100	276.92
\$250	1,700	3,600.00
\$500	357	17,142.86
\$1,000	145	42,206.90
\$200,000	4	1,530,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 3.90. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1889 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 1889, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-201701970
Bob Biard
General Counsel
Texas Lottery Commission
Filed: May 16, 2017



Scratch Ticket Game Number 1892 "\$500,000 Ca\$h"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1892 is "\$500,000 CASH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1892 shall be \$10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1892.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, SINGLE CHERRY SYMBOL, ANCHOR SYMBOL, BANANA SYMBOL, DICE SYMBOL, DIAMOND SYMBOL, PINEAPPLE SYMBOL, BELL SYMBOL, SUN SYMBOL, GOLD BAR SYMBOL, \$10.00, \$20.00, \$40.00, \$50.00, \$100, \$200, \$500, \$1,000, \$10,000 and \$500,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink

in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 1892 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWFO
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFO
36	TRSX
37	TRSV

38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRT0
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
SINGLE CHERRY SYMBOL	CHERRY
ANCHOR SYMBOL	ANCHOR
BANANA SYMBOL	BANANA
DICE SYMBOL	DICE
DIAMOND SYMBOL	DIAMOND
PINEAPPLE SYMBOL	PNAPLE
BELL SYMBOL	BELL
SUN SYMBOL	SUN
GOLD BAR SYMBOL	WIN\$20
\$10.00	TEN\$
\$20.00	TWY\$
\$40.00	FRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$10,000	10TH
\$500,000	500TH

E. Serial Number - A unique 13 (thirteen) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A 24 (twenty-four) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Scratch Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1892), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 050 within each Pack. The format will be: 1892-0000001-001.

H. Pack - A Pack of the "\$500,000 CASH" Scratch Ticket Game contains 050 Scratch Tickets, packed in plastic shrink-wrapping and fan-folded in pages of one (1). The back of Ticket 001 will be shown on the front of the Pack; the back of Ticket 050 will be revealed on the

back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "\$500,000 CASH" Scratch Ticket Game No. 1892.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "\$500,000 CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 47 (forty-seven) Play Symbols. MAIN PLAY AREA: If a player matches any of YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. BONUS CASH PLAY AREA: If a player reveals a "GOLD BAR" Play Symbol, the player wins \$20 instantly. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly 47 (forty-seven) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly 47 (forty-seven) Play Symbols under the Latex Overprint on

the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the 47 (forty-seven) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 47 (forty-seven) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns of either Play Symbols or Prize Symbols.

B. GENERAL: A Ticket will win as indicated by the prize structure.

C. GENERAL: A Ticket can win up to twenty-one (21) times.

D. MAIN PLAY AREA: On winning and Non-Winning Tickets, the top cash prizes of \$10,000 and \$500,000 will each appear at least once, except on Tickets winning seventeen (17) times or more.

E. MAIN PLAY AREA: No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.

F. MAIN PLAY AREA: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

G. MAIN PLAY AREA: No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

H. MAIN PLAY AREA: YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 10 and \$10, 20 and \$20, 30 and \$30, 40 and \$40, 50 and \$50).

I. MAIN PLAY AREA: On all Tickets, a Prize Symbol will not appear more than four (4) times except as required by the prize structure to create multiple wins.

J. MAIN PLAY AREA: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

K. BONUS CASH PLAY AREA: The "GOLD BAR" (WIN\$20) Play Symbol will only appear on winning Tickets as per prize structure.

L. BONUS CASH PLAY AREA: The "GOLD BAR" (WIN\$20) Play Symbol will never appear on a Non-Winning Ticket.

2.3 Procedure for Claiming Prizes.

A. To claim a "\$500,000 CASH" Scratch Ticket Game prize of \$10.00, \$20.00, \$30.00, \$40.00, \$50.00, \$100, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$30.00, \$40.00, \$50.00, \$100, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "\$500,000 CASH" Scratch Ticket Game prize of \$1,000, \$10,000 or \$500,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "\$500,000 CASH" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct:

1. A sufficient amount from the winnings of a prize winner who has been finally determined to be:

a. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

b. in default on a loan made under Chapter 52, Education Code; or

c. in default on a loan guaranteed under Chapter 57, Education Code; and

2. delinquent child support payments from the winnings of a prize winner in the amount of the delinquency as determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "\$500,000 CASH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "\$500,000 CASH" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 4,080,000 Scratch Tickets in Scratch Ticket Game No. 1892. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1892 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$10	408,000	10.00
\$20	408,000	10.00
\$30	42,500	96.00
\$40	64,804	62.96
\$50	66,300	61.54
\$100	45,050	90.57
\$200	8,874	459.77
\$500	918	4,444.44
\$1,000	200	20,400.00
\$10,000	20	204,000.00
\$500,000	4	1,020,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 3.91. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1892 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 1892, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-201701971

Bob Biard

General Counsel

Texas Lottery Commission

Filed: May 16, 2017



Public Utility Commission of Texas

Major Consulting Services Contract

Contract No. 473-17-00004 - to develop a comprehensive Cybersecurity and Physical Security Outreach Program for Texas Electric Utilities, Electrical Cooperatives and Municipally Owned Electric Utilities.

Consultant:

Dyonyx

1235 N. Loop West, Suite 1200

Houston, Texas 77008

Contract No. 473-17-00004, expires April 30, 2021

Compensation: \$357,000

Draft report provided to PUCT by June 22, 2017;

Final report approved and presentation no later than August 31, 2017.

Public Utility Commission of Texas

1701 N. Congress Avenue

Austin, Texas 78711

Point of contact: jay.stone@puc.texas.gov

Publication in the *Texas Register* after entering into major consulting services contract is required by Texas Government Code §2254.030.

TRD-201701962

Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 15, 2017



Notice of Application for Retail Electric Provider Certification

Notice is given to the public of the filing with the Public Utility Commission of Texas (Commission) of an application on May 9, 2017, for retail electric provider certification, in accordance with Public Utility Regulatory Act (PURA) §39.352.

Docket Title and Number: Application of Heritage Power LLC for a Retail Electric Provider Certificate, Docket Number 47158.

Application: Heritage Power LLC requests an Option I retail electric provider certificate for the entire State of Texas.

Information on the application may be obtained by contacting the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All inquiries should reference Docket Number 47158.

TRD-201701953
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 11, 2017



Notice of Application to Amend a Water Certificate of Convenience and Necessity

Notice is given to the public of the filing of an application to amend a water certificate of convenience and necessity (CCN) in Kendall County.

Docket Style and Number: Application of Kendall West Utility, LLC to Amend a Water Certificate of Convenience and Necessity in Kendall County, Docket Number 47157.

The Application: Kendall West Utility, LLC filed an application to amend its water CCN No. 13213, in Kendall County. The total service area being requested includes approximately 192 acres and 0 current customers.

Persons wishing to intervene or comment on the action sought should contact the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. A deadline for intervention in this proceeding will be established. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 47157.

TRD-201701955
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 12, 2017



Notice of Complaint and Request for a Cease and Desist Order

Notice is given to the public of a complaint and request for a cease and desist order filed with the Public Utility Commission of Texas (commission) on May 11, 2017.

Docket Style and Number: Complaint of City of Coleman and Request for a Cease and Desist Order against Coleman County Electric Cooperative, Inc., Docket Number 47163.

The Application: The City of Coleman (City) filed a complaint and request for a cease and desist order regarding electric service to four facilities within the singly-certificated service area of the City. The City stated that this dispute requires the commission to determine whether Coleman County Electric Cooperative, Inc. (Coleman County) may lawfully provide retail electric service to four facilities located within the municipal limits of the City. The City contends that Coleman County's provision of electric service to the four facilities within its singly-certificated service area is not lawful and that Coleman County should be ordered to cease providing such service.

Persons who wish to intervene in the proceeding or comment upon the action sought should contact the commission at P.O. Box 13326, Austin, Texas 78711-3326, or call the commission's Customer Protection Division at (512) 936-7120 or (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Docket Number 47163.

TRD-201701972
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 16, 2017



Notice of Intent to Implement a Minor Rate Change Under 16 Texas Administrative Code §26.171

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) on May 8, 2017, to implement a minor rate change under 16 Texas Administrative Code §26.171.

Tariff Control Title and Number: Notice of Central Texas Telephone Cooperative, Inc. for Approval of a Minor Rate Change Under 16 Texas Administrative Code §26.171 and PURA Section 53, Subchapter G, Tariff Control Number 47152.

The Application: Central Texas Telephone Cooperative, Inc. filed an application with the Commission for revisions to its General Exchange Tariff. CTTC proposed an effective date of June 1, 2017. The estimated revenue increase to be recognized by the Applicant is \$140,106.96 in gross annual intrastate revenues. The Applicant has 5,542 access lines (residence and business) in service in the state of Texas.

If the Commission receives a complaint(s) relating to this application signed by 5% of the affected local service customers to which this application applies by May 31, 2017, the application will be docketed. The 5% limitation will be calculated based upon the total number of customers of record as of the calendar month preceding the Commission's receipt of the complaint(s).

Persons wishing to comment on this application should contact the Public Utility Commission of Texas by May 31, 2017. Requests to intervene should be filed with the Commission's Filing Clerk at P.O. Box 13326, Austin, Texas 78711-3326, or you may call the Commission at (512) 936-7120 or toll-free (800) 735-2989. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Tariff Control Number 47152.

Texas Department of Transportation

Aviation Division - Request for Qualifications for Professional Engineering Services

The City of La Porte, through its agent, the Texas Department of Transportation (TxDOT), intends to engage a professional engineering firm for services pursuant to Chapter 2254, Subchapter A, of the Government Code. TxDOT Aviation Division will solicit and receive qualification statements for the current aviation project as described below.

Current Project: City of La Porte; TxDOT CSJ No.: 1712LP RTE

The TxDOT Project Manager is Robert Johnson, P.E.

Scope: Provide engineering and design services, including construction administration, to:

1. Conduct airport drainage study;
2. Construct and install airport drainage improvements;
3. Rehabilitate and mark Apron 2;
4. Rehabilitate and mark Apron 3;
5. Rehabilitate and mark Runway 12-30;
6. Rehabilitate and mark Runway 5-23;
7. Rehabilitate Taxiway "A";
8. Rehabilitate Taxiway "B";
9. Rehabilitate northwest hangar access taxiway at Runway 12;
10. Rehabilitate Taxiway "C";
11. Rehabilitate Taxiway "D"; and
12. Rehabilitate and mark Apron 1.

The Agent, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§2000d to 2000d-4) and the Regulations, hereby notifies all respondents that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit in response to this solicitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

The proposed contract is subject to 49 CFR Part 26 concerning the participation of Disadvantaged Business Enterprises (DBE). The DBE goal for the design phase of the current project is 0%. The goal will be re-set for the construction phase.

Utilizing multiple engineering/design and construction grants over the course of the next five years, future scope of work items at the La Porte Municipal Airport may include the following: pavement rehabilitation of runways, taxiways, hangar access taxiways, and aprons; install new pavement markings; and install new drainage improvements.

The City of La Porte reserves the right to determine which of the above services may or may not be awarded to the successful firm and to initiate additional procurement action for any of the services above.

To assist in your qualification statement preparation, the criteria, 5010 drawing, project diagram, and most recent Airport Layout

Plan are available online at <http://www.dot.state.tx.us/avn/avninfo/notice/consult/index.html> by selecting "La Porte Municipal Airport." The qualification statement should address a technical approach for the current scope only. Firms shall use page 4, Recent Airport Experience, to list relevant past projects for both current and future scope.

AVN-550 Preparation Instructions:

Interested firms shall utilize the latest version of Form AVN-550, titled "Qualifications for Aviation Architectural/Engineering Services." The form may be requested from TxDOT, Aviation Division, 125 E. 11th Street, Austin, Texas 78701-2483, phone number, (800) 68-PILOT (74568). The form may be emailed by request or downloaded from the TxDOT website at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html>. The form may not be altered in any way. Firms must carefully follow the instructions provided on each page of the form. Qualifications shall not exceed the number of pages in the AVN-550 template. The AVN-550 consists of eight pages of data plus one optional illustration page. A prime provider may only submit one AVN-550. If a prime provider submits more than one AVN-550, that provider will be disqualified. Responses to this solicitation WILL NOT BE ACCEPTED IN ANY OTHER FORMAT.

ATTENTION: To ensure utilization of the latest version of Form AVN-550, firms are encouraged to download Form AVN-550 from the TxDOT website as addressed above. Utilization of Form AVN-550 from a previous download may not be the exact same format. Form AVN-550 is a PDF Template.

The completed Form AVN-550 must be received in the TxDOT Aviation eGrants system no later than June 27, 2017, 11:59 p.m. (CDST). Electronic facsimiles or forms sent by email or regular/overnight mail will not be accepted.

Firms that wish to submit a response to this solicitation must be a user in the TxDOT Aviation eGrants system no later than one business day before the solicitation due date. To request access to eGrants, please complete the Contact Us web form located at <http://txdot.gov/government/funding/egrants-2016/aviation.html>.

An instructional video on how to respond to a solicitation in eGrants is available at <http://txdot.gov/government/funding/egrants-2016/aviation.html>.

Step by step instructions on how to respond to a solicitation in eGrants will also be posted in the RFQ packet at <http://www.dot.state.tx.us/avn/avninfo/notice/consult/index.htm>.

The consultant selection committee will be composed of local government representatives. The final selection by the committee will generally be made following the completion of review of AVN-550s. The committee will review all AVN-550s and rate and rank each. The Evaluation Criteria for Engineering Qualifications can be found at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html> under Information for Consultants. All firms will be notified and the top rated firm will be contacted to begin fee negotiations for the design and bidding phases. The selection committee does, however, reserve the right to conduct interviews for the top rated firms if the committee deems it necessary. If interviews are conducted, selection will be made following interviews.

Please contact TxDOT Aviation for any technical or procedural questions at (800) 68-PILOT (74568). For procedural questions, please contact Beverly Longfellow, Grant Manager. For technical questions, please contact Robert Johnson, P.E., Project Manager.

For questions regarding responding to this solicitation in eGrants, please contact the TxDOT Aviation help desk at (800) 687-4568 or avn-egrantshelp@txdot.gov.

TRD-201701947
Joanne Wright
Deputy General Counsel
Texas Department of Transportation
Filed: May 11, 2017



Aviation Division - Request for Qualifications for Professional Engineering Services

Ector County, through its agent, the Texas Department of Transportation (TxDOT), intends to engage a professional engineering firm for services pursuant to Chapter 2254, Subchapter A, of the Government Code. TxDOT Aviation Division will solicit and receive qualification statements for the current aviation project as described below.

Current Project: Ector County; TxDOT CSJ No.: 1706ODESA - **Re-issue.** Scope:

Provide engineering and design services including construction administration to:

1. Design and install Omnidirectional Approach Lighting System (ODALS) Runway 11/29 ends; and
2. Design terminal apron expansion.

The Agent, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§2000d to 2000d-4) and the Regulations, hereby notifies all respondents that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit in response to this solicitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

The proposed contract is subject to 49 CFR Part 26 concerning the participation of Disadvantaged Business Enterprises (DBE).

The DBE goal for the **design phase of the current project is 11%.** **The goal will be re-set for the construction phase.** TxDOT Project Manager is Paul Slusser.

Utilizing multiple engineering/design and construction grants over the course of the next five years, future scope of work items at the Odessa Schlemeyer Field may include the following:

Construct terminal apron expansion; rehabilitate hangar apron and access taxiways; rehabilitate airfield pavement and construct North hangar vehicle access road.

Ector County reserves the right to determine which of the above services may or may not be awarded to the successful firm and to initiate additional procurement action for any of the services above.

To assist in your qualification statement preparation the criteria, 5010 drawing, project diagram, and most recent Airport Layout Plan are available online at <http://www.dot.state.tx.us/avn/avninfo/notice/consult/index.html> by selecting "Odessa Schlemeyer Field." The qualification statement should address a technical approach for the current scope only. Firms shall use page 4, Recent Airport Experience, to list relevant past projects for both current and future scope.

AVN-550 Preparation Instructions:

Interested firms shall utilize the latest version of Form AVN-550, titled "Qualifications for Aviation Architectural/Engineering Services". The form may be requested from TxDOT, Aviation Division, 125 E. 11th Street, Austin, Texas 78701-2483, phone number, (800) 68-PILOT (74568). The form may be emailed by request or downloaded from

the TxDOT website at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html>. The form may not be altered in any way. Firms must carefully follow the instructions provided on each page of the form. Qualifications shall not exceed the number of pages in the AVN-550 template. The AVN-550 consists of eight pages of data plus one optional illustration page. A prime provider may only submit one AVN-550. If a prime provider submits more than one AVN-550, that provider will be disqualified. Responses to this solicitation WILL NOT BE ACCEPTED IN ANY OTHER FORMAT.

ATTENTION: To ensure utilization of the latest version of Form AVN-550, firms are encouraged to download Form AVN-550 from the TxDOT website as addressed above. Utilization of Form AVN-550 from a previous download may not be the exact same format. Form AVN-550 is a PDF Template.

The completed Form AVN-550 **must be received** in the TxDOT Aviation eGrants system no later than June 20, 2017, 11:59 p.m. (CDST). Electronic facsimiles or forms sent by email or regular/overnight mail will not be accepted.

Firms that wish to submit a response to this solicitation must be a user in the TxDOT Aviation eGrants system no later than one business day before the solicitation due date. To request access to eGrants, please complete the Contact Us webform located at <http://txdot.gov/government/funding/egrants-2016/aviation.html>

An instructional video on how to respond to a solicitation in eGrants is available at <http://txdot.gov/government/funding/egrants-2016/aviation.html>.

Step by step instructions on how to respond to a solicitation in eGrants will also be posted in the RFQ packet at <http://www.dot.state.tx.us/avn/avninfo/notice/consult/index.html>.

The consultant selection committee will be composed of local government representatives. The final selection by the committee will generally be made following the completion of review of AVN-550s. The committee will review all AVN-550s and rate and rank each. The Evaluation Criteria for Engineering Qualifications can be found at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html> under Information for Consultants. All firms will be notified and the top rated firm will be contacted to begin fee negotiations for the design and bidding phases. The selection committee does, however, reserve the right to conduct interviews for the top rated firms if the committee deems it necessary. If interviews are conducted, selection will be made following interviews.

Please contact TxDOT Aviation for any technical or procedural questions at (800) 68-PILOT (74568). For procedural questions, please contact Kelle Chancey, Grant Manager. For technical questions, please contact Paul Slusser, Project Manager.

For questions regarding responding to this solicitation in eGrants, please contact the TxDOT Aviation help desk at (800) 687-4568 or avn-egrantshelp@txdot.gov.

TRD-201701981
Joanne Wright
Deputy General Counsel
Texas Department of Transportation
Filed: May 17, 2017



Aviation Division - Request for Qualifications for Professional Engineering Services

The City of Floydada, through its agent, the Texas Department of Transportation (TxDOT), intends to engage a professional engineering

firm for services pursuant to Chapter 2254, Subchapter A, of the Government Code. TxDOT Aviation Division will solicit and receive qualification statements for the current aviation project as described below.

Current Project: City of Floydada; TxDOT CSJ No.: 1705FLODA. Scope:

Provide engineering and design services, including construction administration to: Rotomill and overlay hangar access taxiways.

The Agent, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§2000d to 2000d-4) and the Regulations, hereby notifies all respondents that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit in response to this solicitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

The proposed contract is subject to 49 CFR Part 26 concerning the participation of Disadvantaged Business Enterprises (DBE).

The DBE goal for the **design phase of the current project is 8%.** **The goal will be re-set for the construction phase.** TxDOT Project Manager is Harry Lorton, P.E.

Utilizing multiple engineering/design and construction grants over the course of the next five years, future scope of work items at the Floydada Municipal Airport may include the following:

Rehabilitation of ramp pavement and runway pavement.

The City of Floydada reserves the right to determine which of the above services may or may not be awarded to the successful firm and to initiate additional procurement action for any of the services above.

To assist in your qualification statement preparation the criteria, 5010 drawing, project diagram, and most recent Airport Layout Plan are available online at <http://www.dot.state.tx.us/avn/avninfo/notice/consult/index.html> by selecting "Floydada Municipal Airport." The qualification statement should address a technical approach for the current scope only. Firms shall use page 4, Recent Airport Experience, to list relevant past projects for both current and future scope.

AVN-550 Preparation Instructions:

Interested firms shall utilize the latest version of Form AVN-550, titled "Qualifications for Aviation Engineering Services". The form may be requested from TxDOT, Aviation Division, 125 E. 11th Street, Austin, Texas 78701-2483, phone number, 1-800-68-PILOT (74568). The form may be emailed by request or downloaded from the TxDOT website at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html>. The form may not be altered in any way. Firms must carefully follow the instructions provided on each page of the form. Qualifications shall not exceed the number of pages in the AVN-550 template. The AVN-550 consists of eight pages of data plus one optional illustration page. A prime provider may only submit one AVN-550. If a prime provider submits more than one AVN-550, that provider will be disqualified. Responses to this solicitation WILL NOT BE ACCEPTED IN ANY OTHER FORMAT.

ATTENTION: To ensure utilization of the latest version of Form AVN-550, firms are encouraged to download Form AVN-550 from the TxDOT website as addressed above. Utilization of Form AVN-550 from a previous download may not be the exact same format. Form AVN-550 is a PDF Template.

The completed Form AVN-550 **must be received** in the TxDOT Aviation eGrants system no later than June 22, 2017, 11:59 P.M. (CDST). Electronic facsimiles or forms sent by email or regular/overnight mail will not be accepted.

Firms that wish to submit a response to this solicitation must be a user in the TxDOT Aviation eGrants system no later than one business day before the solicitation due date. To request access to eGrants, please complete the Contact Us webform located at <http://txdot.gov/government/funding/egrants-2016/aviation.html>

An instructional video on how to respond to a solicitation in eGrants is available at <http://txdot.gov/government/funding/egrants-2016/aviation.html>

Step by step instructions on how to respond to a solicitation in eGrants will also be posted in the RFQ packet at <http://www.dot.state.tx.us/avn/avninfo/notice/consult/index.htm>.

The consultant selection committee will be composed of local government representatives. The final selection by the committee will generally be made following the completion of review of AVN-550s. The committee will review all AVN-550s and rate and rank each. The Evaluation Criteria for Engineering Qualifications can be found at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html> under Information for Consultants. All firms will be notified and the top rated firm will be contacted to begin fee negotiations for the design and bidding phases. The selection committee does, however, reserve the right to conduct interviews for the top rated firms if the committee deems it necessary. If interviews are conducted, selection will be made following interviews.

Please contact TxDOT Aviation for any technical or procedural questions at 1-800-68-PILOT (74568). For procedural questions, please contact Kelle Chancey, Grant Manager. For technical questions, please contact Harry Lorton, P.E., Project Manager.

For questions regarding responding to this solicitation in eGrants, please contact the

TxDOT Aviation help desk at 1-800-687-4568 or avn-egrantshelp@txdot.gov.

TRD-201701984

Leonard Reese

Associate General Counsel

Texas Department of Transportation

Filed: May 17, 2017

